KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING

111 West Fox Street • Rooms 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

AGENGA

Monday, September 13, 2021 – 6:30 p.m.

CALL TO ORDER:
ROLL CALL: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chair), Dan Koukol, and Robyn Vickers
APPROVAL OF AGENDA:

APPROVAL OF MINUTES: Approval of Minutes from August 9, 2021, Meeting (Pages 4-19)

PUBLIC COMMENT:

EXPENDITURE REPORT: Review of Expenditures from the Prior Month (Pages 20-26)
Planning, Building and Zoning Department Quarterly Expenditure Update (Pages 27-28)

PETITIONS:

1. **Petition 21 – 26 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis (Pages 29-137)**
Request: Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, Amending the Landscaping Plan, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music
PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008
Location: 10978 Crimmin Road, Newark, Fox Township
Purpose: Petitioners Wish to Amend the Existing Special Use Permit; Property is Zoned A-1 with a Special Use Permit

2. **Petition 21 – 27 – Paul Kovacevich on Behalf of Tri-Star Development, Inc. (Pages 138-228)**
Request: Map Amendment Rezoning the Northeast 7.266 Acres of the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN: 09-15-300-020
Location: South Side of Route 52 Across the Street from 2735 Route 52 in Seward Township
Purpose: Petitioner Wishes to Rezone the Property in Order to Construct One House

3. **Petition 21 – 28 – Brian and Jennifer Gore (Pages 229-318)**
Request: Map Amendment Rezoning the Eastern 12.671 Acres of the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN: 09-15-300-021
Location: West Side of Jughandle Road Across the Street from 14776 Jughandle Road in Seward Township
Purpose: Petitioner Wishes to Rezone the Property in Order to Construct Two Houses

4. **Petition 21 – 34 – James and Denise Maffeo on Behalf of Four Seasons Storage, LLC (Pages 319-349)**

Request: Amendment to Condition 4.B of Ordinance 2020-14 (Granting a Special Use Permit for an Indoor/Outdoor Storage Business at the Subject Property) and Minor Amendment to Ordinance 2020-14 Dated April 12, 2021, by Changing the Deadline for the Installation of the Fencing and Landscaping to June 1, 2022

PIN: 09-13-200-010

Location: Approximately 0.15 Miles North of the Intersection of Route 52 and County Line Road on the West Side of County Line Road, Seward Township

Purpose: Petitioner Wants To Extend the Deadline for Installing Fencing and Landscaping at the Subject Property; Property is Zoned B-3 Highway Business District with a Special Use Permit

5. **Petition 21 – 35 – Peter and Laurie Pasteris on Behalf of the Peter J. Pasteris Jr. Revocable Declaration of Living Trust (Pages 350-365)**

Request: Minor Amendment to the Special Use Granted by Ordinance 2015-06 and Minor Amendment to Ordinance 2015-06 Dated November 9, 2020, by Allowing for Events to be Held from April 8th through November 30th and Allowing the Temporary Tent to be Erect During the Same Time Frame at the Banquet Facility at the Subject Property

PINs: 06-11-100-004 and 06-11-100-008

Location: 1998 Johnson Road, Na-Au-Say Township

Purpose: Petitioners Wants to Expand the Allowable Season in 2022 for the Banquet Center Allowed at the Subject Property

NEW BUSINESS:

1. Approval to Change the October 2021 Kendall County Planning, Building and Zoning Committee Meeting Date and Time

2. Request from Greg Dady on Behalf of DTG Investments, LLC to Allow an Excavation Business at 3485 Route 126 (PIN: 06-09-400-005) in Na-Au-Say Township (Pages 366-372)

3. Discussion Leaf Burning Regulations (Ordinance 97-12); Committee Could Initiate Changes to this Ordinance (Pages 373-378)

4. Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to the Garden Act; Committee Could Initiate Text Amendments to the Kendall County Zoning Ordinance Related to the Garden Act (Pages 379-382)

5. Discussion of Amendments to the Kendall County Zoning Ordinance Pertaining to the Agricultural Experiences Act; Committee Could Initiate Text Amendments to the Kendall County Zoning Ordinance Related to the Agricultural Experiences Act (Pages 383-385)

6. Discussion of Updating the Land Resource Management Plan (Pages 386-394)

7. Discussion of the Two (2) Year Renewal Requirement for Real Estate and Development Off Premise Advertising Signs (Billboards); Committee Could Initiate Text Amendments to the Zoning Ordinance Changing This Requirement (Pages 395-399)

8. Approval of a Request from WBK Engineering to Increase the Escrow Deposit Fee for Stormwater Management Permits from $1,200 or 2% of the Estimated Cost of the Proposed Improvements Whichever is Greater to $2,000 or 2% of the Estimated Cost of the Proposed Improvements Whichever is Greater (Pages 400-401)

OLD BUSINESS:

1. Review of Agenda for October 21, 2021 Kendall County Planning, Building and Zoning Committee meeting in Boulder Hill (Pages 402-403)

REVIEW VIOLATION REPORT (Pages 404-407):

REVIEW NON-VIOLATION REPORT (Pages 408-410):

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

1. Approval of a Request from the Kendall County Historic Preservation Commission to Change the Time of Regular Meetings of the Kendall County Historic Preservation Commission from 6:30 p.m. on the Third Monday of the Month to 6:00 p.m. on the Third Monday of the Month

2. Discussion of Historic Structure Survey in Kendall and Bristol Townships (Pages 411-417)

REVIEW PERMIT REPORT (Pages 418-441):

REVIEW REVENUE REPORT (Page 442):

CORRESPONDENCE:

COMMENTS FROM THE PRESS:

EXECUTIVE SESSION:

ADJOURNMENT:

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
Rooms 209 and 210
111 W. Fox Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of August 9, 2021 – Unofficial until Approved

CALL TO ORDER
The meeting was called to order by Chairman Gengler at 6:30 p.m.

ROLL CALL
Committee Members Present: Scott Gengler (Chairman), Judy Gilmour (Vice-Chairwoman), Dan Koukol, and Robyn Vickers
Committee Members Absent: Elizabeth Flowers
Also Present: Matt Asselmeier (Senior Planner), Kurt Buhle, Jeanette Buhle, John Vogt, and Steve Graves

APPROVAL OF AGENDA
Member Gilmour made a motion, seconded by Member Vickers, to approve the agenda with an amendment laying over Petition 21-26 until the September meeting. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES
Member Koukol made a motion, seconded by Member Vickers, to approve the minutes of the July 12, 2021, meeting. With a voice vote of four (4) ayes, the motion carried.

PUBLIC COMMENT
Kurt Buhle distributed a handout outlining his concerns regarding the proposed amendment to the special use permit at 10978 Crimmin Road. In addition to the concern, the handout included violations to the existing special use permit. He expressed concerns about enforcement of the existing rules and concerns that the owners at 10978 Crimmin Road will not follow the new and existing rules.

John Vogt felt that the proposed changes to the special use permit at 10978 Crimmin Road would create a nuisance and depreciate the value of his property. He expressed concerns about disc jockeys controlling the sound level at the property; the owners at 10978 Crimmin Road did not have control the noise level. He stated that sound carries in the area.

Jeanette Buhle noted that the owners at 10978 Crimmin Road realize that they were being watched and they were on their best behavior.

Steve Graves expressed concerns about safety on Crimmin Road. He felt that Crimmin Road was an unsafe road and that increasing traffic on Crimmin Road was not a good idea.

EXPENDITURE REPORT

The Committee reviewed the expenditure report from July 2021. Member Koukol made a motion, seconded by Member Gilmour, to forward the bills to the Finance Committee. With a voice vote of four (4) ayes, the motion carried.

PETITIONS

Petition 21-24 Dave Hamman on Behalf of KEKA Farms, LLC (Property Owner) and Pulte Home Corporation (Billboard Owner)

Mr. Asselmeier summarized the request.

In December 2004, through Ordinance 2004-43, the Kendall County Board approved a special use permit for the placement of an off-premise advertising sign at the subject property. The special use permit was renewed in 2017 through Ordinance 2017-14**.** The special use was renewed again in 2019 through Ordinance 2019-22. Restriction Number 2.C of the 2019 special use permit renewal and Section 12:06.A.4 require the owner to either remove the sign or to renew the special use permit every two (2) years. The site plan and picture of the sign were provided.

The property is located at the southeast corner of Route 34 and Hafenrichter (Farnsworth) in Oswego Township. The property is zoned M-2.

The Land Resource Management Plan calls for the property to be commercial and suburban residential. Aurora's Comprehensive Plan calls for the property to be commercial.

Route 34 is maintained by IDOT. Hafenrichter/Farnsworth is a Local Road Maintained by Oswego Township. Aurora has a trail planned along Hafenrichter.

There were no wetlands or floodplain on the property.

The adjacent land uses were agricultural, residential, commercial, and industrial.

The adjacent zoning districts were M-2 in the County and R-1 (S), R-5 (S), and B-2 (S) in Aurora.

Aurora's Future Land Use Map called for the area to be Low- and Medium-Density Residential, Commercial, Light Industrial, and Industrial.

Nearby zoning districts included A-1, R-3, B-3, M-1 SU, M-2 SU, in Kendall County and various districts in Aurora, Kane County, Will County, and DuPage County.

EocCat and Natural Resource Inventory not required.

Petition information was sent to Oswego Township on June 10, 2021. No comments were received.

Petition information was sent to the City of Aurora on June 10, 2021. The property owner was in annexation negotiations with the City of Aurora. Aurora sent an email on June 10, 2021, expressing no objections, but the sign would be removed upon annexation into Aurora. This email was provided.

Petition information was sent to Oswego Fire Protection District on June 10, 2021. Oswego Fire Protection District submitted an email on June 10, 2021, stating they had no comments regarding the request. This email was provided.

ZPAC reviewed this proposal at their meeting on July 6, 2021. ZPAC recommended approval of the request by vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. There were no comments or questions regarding the proposal. The Kendall County Regional Planning Commission recommended approval of the request by a vote of eight (8) in favor and zero (0) in opposition with two (2) members absent. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 2, 2021. No members of the public testified in favor or in opposition to this request. To date, there have been no complaints regarding this billboard. The Kendall County Zoning Board of Appeals recommended approval with conditions by a vote four (4) in favor and zero (0) in opposition with three (3) members absent. The minutes of the hearing were provided.

The sign is twelve feet by sixteen feet (12' X 16') in size. There will be fourteen feet (14') from the ground to the top of the sign. Renderings of the sign and the petitioner's application (including lease, findings of fact, and site plan) were provided.

The petitioner desires to renew the special use permit awarded by Ordinance 2004-43 and renewed by Ordinance 2017-14 with no changes in restrictions. These ordinances were provided.

The restrictions imposed by Ordinance 2019-22 include:

1. The sign shall look substantially in the form as shown in the attached Exhibit.

2. The sign shall be located substantially in the location depicted on the attached Site Plan.

3. The sign will be removed or Pulte Group (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.

4. The sign will not be illuminated.

5. The advertising on the sign is restricted to Pulte Group's residential development.

6. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.

7. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.

8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The appearance of the signs was included as Exhibits C and D in Ordinance 2019-22.

Pursuant to Section 12:06.A.4, real estate and development signs may be located offsite for a period not to exceed two (2) years, provided a special use permit is issued.

A picture of the sign was provided.

Since the sign was pre-existing, a building permit would not be required.

Access concerns, parking concerns, and screening concerns were not applicable.

A trail was planned along Hafenrichter. However, the City of Aurora has not previously requested a right-of-way dedication.

The sign will not be illuminated.

No portion of the property was in a flood area and no wetlands existed on the property. No stormwater issues were anticipated by the proposal.

No easements were believed to be impacted by the proposed sign.

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 sign remains at its current location, the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare of the public.

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. True, the proposed special use will not negatively impact adjoining properties.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. This requirement is not applicable because the proposed special use does not require utilities, access roads, points of ingress and egress, drainage or other facilities.

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. True, the proposed special use shall conform to the applicable regulations of the 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. True, the proposed special use is consistent with the purposes and objectives of the Land Resource Management Plan.

If approved, Staff recommended the following conditions be included in the approving special use ordinance:

1. The rendering of the sign and map depicting the location of the sign shall be Exhibits in the approval ordinance.

2. The sign will be removed or Pulte Home Corporation (or their successors) will apply to renew their special use in two (2) years from the date of approval of this ordinance by the County Board.

3. The sign will not be illuminated.

4. The advertising on the sign is restricted to Pulte Home Corporation's residential development.

5. The off-premise advertising structure allowed by this special use permit shall follow all applicable Federal, State and Local laws related to this type of use including, but not limited to, the distance from property line requirements of the Kendall County Zoning Ordinance.

6. Failure to comply with the above regulations and restrictions could result in the revocation of the special use permit.

7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The draft ordinance was provided.

Chairman Gengler asked if this was the only billboard in the County. Mr. Asselmeier responded this was the only billboard that falls under these regulations. There were approximately six (6) billboards in the unincorporated area.

Member Koukol made a motion, seconded by Member Vickers, to recommend approval of the proposal to the County Board.

With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the County Board on August 17, 2021, on the consent agenda.

Member Gilmour asked if they will need permission from both Aurora and Kendall County if the property is annexed to Aurora. Mr. Asselmeier responded that it was his understanding that the billboard will be removed upon annexation to Aurora.

NEW BUSINESS

Approval of a Request from Mark Nichols for a Refund in the Amount of $388.00 for an Unused Garage Addition Permit at 6145 Whitetail Ridge Drive (PIN: 05-12-226-013) in Kendall Township

Mr. Asselmeier summarized the request. The Petitioner no longer wishes to construct the garage as originally planned.

Member Vickers made a motion, seconded by Member Gilmour, to approve the refund as requested. With a voice vote of four (4) ayes, the motion carried.

Approval of a Request from Michael Isadore to Renew the Special Use Permit for Swimming Lessons Granted by Ordinance 1982-02 at 15331 Burr Oak Road, Plano
Mr. Asselmeier summarized the request.

In 1982, the Kendall County Board granted a special use permit for swimming lessons at 15331 Burr Oak Road (Ordinance 1982-2). Restriction #1 of this special use permit required annual renewal by the County Board/Committee.

On July 12, 2021, the property owner, Michael Isadore, submitted an email requesting the special use permit be renewed.

Member Vickers made a motion, seconded by Member Koukol, to approve the renewal as requested.

Chairman Gengler asked if this request was one (1) of the few that have to be renewed annually. Mr. Asselmeier responded that this request was the only special use permit that had to be renewed in this manner because of the language in the special use permit. Chairman Gengler asked why the Petitioner did not request to amend the special use permit to remove the requirement. Mr. Asselmeier responded that the cost of amending the special use permit compared with the cost in time to send an email requesting annual renewal made it cheaper for the Petitioner to simply ask for renewal every year.

With a voice vote of four (4) ayes, the motion carried.

Approval of an 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 agreement between the Village of Millbrook and Kendall County allowing the County to provide Planning, Building and Zoning Department related services expires in September.

No changes from the previous contract are proposed.

During the current agreement period, the County conducted 2 investigations in Millbrook and issued 4 permits with 9 inspections.

The Village of Millbrook approved the proposal at their meeting in July.

A copy of the proposed Intergovernmental Agreement was provided.

Member Koukol made a motion, seconded by Member Vickers, to approve the renewal as requested. With a voice vote of four (4) ayes, the motion carried.

The proposal goes to the County Board on August 17, 2021, on the consent agenda.

NPDES Survey Results
Mr. Asselmeier noted that only three (3) townships responded, Na-Au-Say, Oswego, and Lisbon, compared to four (4) last year. He also noted that none of the townships utilize the County's website for stormwater information or volunteer opportunities. He stated river cleanups were not a popular choice for volunteer opportunities. The townships felt that the County does not provide adequate training and that the County was not doing the necessary steps to reduce flooding.

The surveys were mailed to Township Clerks with copies emailed to Township Supervisors.

Member Gilmour suggested emailing the surveys to Township Trustees and Highway Commissioners.

July 31, 2021 Meet the Code Official Event
Mr. Asselmeier reported that Brian Holdiman held an event at the Ace Hardware in Oswego. Approximately twelve (12) people met with him. This was the first time that this event occurred in the Village of Oswego; a similar event occurred previously in Yorkville.

OLD BUSINESS
Discussion of Scheduling a Special Planning, Building and Zoning Committee Meeting in Boulder Hill; Committee Could Select a Date, Time, Location, and Agenda Items for the Special Meeting
Mr. Asselmeier presented a draft agenda for the meeting and reported that Oswego Township had no objections with using their building provided the meeting date did not conflict the regular Oswego Township Board meeting.

Discussion occurred regarding having the meeting coincide with the Boulder Hill Neighborhood Watch meeting.

The consensus of the Committee was to have the meeting on October 21, 2021, at 6:30 p.m., at the Oswego Township Hall on Boulder Hill Pass. The meeting would be held in addition to the Committee's regular meeting.

Mr. Asselmeier will confirm the date and time with Oswego Township. Mr. Asselmeier will see if Oswego Township Inspector Rob DeLong is available to attend to discuss Township regulations and enforcement.

Member Vickers suggested discussing Oswego Townships towing regulations when snow storms occur.

Discussion occurred regarding gardening regulations. This item will be discussed at the September Planning, Building and Zoning Committee agenda.

REVIEW VIOLATION REPORT
The Committee reviewed the violation report.

REVIEW NON-VIOLATION REPORT
The Committee reviewed the non-violation report.

UPDATE FOR HISTORIC PRESERVATION COMMISSION

August 16, 2021 Meeting at Lyon Farm

Mr. Asselmeier provided the invitation letter for the August 16th meeting.

Changing the Start Time of Meetings from 6:30 p.m. to 6:00 p.m.

Mr. Asselmeier report the Commission was considering changing the start time of their meetings.

REVIEW PERMIT REPORT

The Committee reviewed the report.

REVIEW REVENUE REPORT

The Committee reviewed the report.

CORRESPONDENCE

July 16, 2021, Letter from Bright Farms Regarding Annexation Hearing for PIN: 01-12-400-006 Into the City of Plano

The Committee reviewed the letter.

COMMENTS FROM THE PRESS

None

Member Koukol thanked Mr. Asselmeier and Brian Holdiman for their work addressing some zoning issues.

Member Koukol asked Mr. Asselmeier about addressing issues at Caterpillar. Mr. Asselmeier explained the assignment of addresses using information from KenCom and the Oswego Fire Protection District. GIS was examining the issue.

EXECUTIVE SESSION

None

ADJOURNMENT

Member Vickers made a motion, seconded by Member Gilmour, to adjourn. With a voice vote of four ayes, the motion carried.

Chairman Gengler adjourned the meeting at 7:20 p.m.

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

Enc.

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KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
AUGUST 9, 2021

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)
Kurt Buhle	[redacted]	
John Voss		
Jeanette Buhle		
Steve Graves		

Kurt Buhle

01-July-2019

[redacted]

Petition 19-12, A-1 Special Use – Banquet Facility

My 5 Major Concerns:

1. ***Security*** – When having events and large crowds, you do not know all of the attendees and you never know what type of people the event will draw. I don't want to worry about the safety of my family, my daughter, or my property. When there is alcohol involved, the concern is even greater.

2. ***Compliance/enforcement*** – There are a number of rules laid out in the permit proposal. How is compliance to those rules enforced? Do the current zoning regulations allow for events such as weddings to be held? If not, those current regulations are not being adhered to now. Why is there reason to believe that future regulations would be adhered to? What are the repercussions of not adhering to the regulations of the permit? How many violations before action is taken? Can a permit be revoked? Can a permit be denied renewal? My family's lifestyle will be directly, negatively impacted by every single event that is held.

3. ***Negative impact to my land value*** – This is one of our largest investments. We've invested a lot in a beautiful, peaceful country way of life. This is why we moved to an AG zoned area. I do not want my investment negatively impacted due to noise every weekend, security concerns and increased traffic on a dangerous road.

4. ***Noise*** - I want my daughter to have the opportunity to experience, appreciate and respect the country way of life, as I did when I was growing up. We moved here to enjoy the peace & quiet. If there are 30 events estimated, those are condensed into 7 working months of the year, which is more than 4 events/month. That is an event at least every weekend which would be a major disturbance to the peace & quiet. With commuting to work every day during the week, our only downtime for decompression is on the weekends. I do not want to hear an event every weekend. We have observed an event (I assume a wedding) on Saturday, June 8. Standing in front of my garage I could hear every word of every song. The DJ speaking was even louder than the music. The barn doors were open. When we turned off the TV to go to bed at 10:30pm, we could hear the music inside our house. **To have to deal with that every week in an AG zoned area is ridiculous.** I want to sit by my campfire with my family, listening to the crickets, coyotes and owls.

5. ***Traffic*** – I have major concern regarding the increase in traffic. Crimmin is a dangerous road for people who know it, let alone folks unfamiliar. It's already clear from the previous events, that the attendees and vendors are not familiar with this road. Night time is very risky with deer and bad visibility. We already have issues with people blowing by the stopped school bus with the existing amount of traffic. **In less than 5 years my daughter will be a new driver on the road and I don't want her to have to deal with this traffic on our road...it's zoned AG!** During the event that took place on June 8, I witnessed a new black Dodge Challenger pass the driveway and back up in the middle of the road when approaching from the South. I also witnessed a silver F150 do the same when approaching from the North. I also witnessed a Famous Daves catering truck back out of the driveway onto the road because someone else was coming out of the driveway. My wife saw the shuttle bus pull out across both lanes because it was too large to stay in it's lane. All of this in just one single event! A previous event had a stretch Hummer limo close the road for a good 10 minutes trying to pull in, before moving on to the North entrance. **I don't**

want provisions to make the increased traffic safer, I want to prevent the increased traffic this is zoned AG!

6. ***What next/the unknown*** – It has been my experience that messing with the zoning is always the first domino to fall. What comes next road changes due to increased traffic? Liquor license and intoxicated drivers? Zoning changes from AG? We moved out here for peaceful country living and I don't want to see it changed. It should remain that way.

I grew up on a small farm in a very rural area in southern Kendall County. Looking for an AG zoned property, we moved to our current home so I could provide my family with the peaceful country living that I was able to experience, appreciate and respect. We've invested a lot to be here and our Return On Investment (ROI) is our peace and quiet we get to come home to every day. I do not want my investment and return negatively impacted when the existing AG zoning ensures it should not be. It is for these stated reasons that I must STRONGLY oppose this petition for a special use permit.

Thank you for your time and consideration.

Sincerely,

Kurt Buhle

PERMIT VIOLATIONS 28JULY2021

Season 1:

1. Barn doors were never closed (North Side) during events with music.
2. Events were held beyond November 1st.





Season 2:

1. Barn doors were never closed (North Side) during events with music.
2. Multiple events have not concluded until 11:00pm.
3. Multiple events currently scheduled until 11:00pm.





4. Currently more than 1 event scheduled on weekend of 10/31/2021.



Questions:

1. Why are the North barn doors never closed as the rules state?
2. Why was there an event on 11/14/2020?
3. Why have there been multiple events ending at 11pm?
4. Why are there multiple events scheduled to end at 11pm?
5. Why are there multiple events scheduled on the weekend of 10/31/2021?

Brigher Daze Permit Violations

SEASON	DATE	VIOLATION
Season 1:	Every event with music	NEVER closed barn doors.
	11/6 (Wedding? Craft Fair?)	After Season close.
	11/14 Open House	After Season close.
Season 2:	5/21 Wedding (called Sheriff)	Noise level
		Barn doors not closed
		Did not end by 10:00pm (11:04pm DJ stopped)
	5/29 Wedding	Barn doors not closed
	6/5 Wedding	Barn doors not closed
	6/26 Wedding	Barn doors not closed
		Did not end by 10:00pm (10:50pm DJ stopped)

CLERK: pherber BATCH: 1742 NEW INVOICES

VENDOR	REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE

PENDING UNPAID INVOICES

1153 00000 KENDALL CO HIGHW July 2021 081521 123.54 .00 .00

CASH 000008 2021/09 INV 08/06/2021 SEP-CHK: N DISC: .00 11001902 62170 123.54 1099:
ACCT 1Y210 DEPT 19 DUE 08/06/2021 DESC:PBZ TRUCK FUEL JULY 2021

CONDITIONS THAT PREVENT POSTING INVOICE 1153/20007

* Invoice must be approved or voided to post.

1172 00000 KENDALL PRINTING 21-0625 - Error 081521 58.00 .00 .00

CASH 000008 2021/09 INV 08/06/2021 SEP-CHK: N DISC: .00 11001902 62000 58.00 1099:
ACCT 1Y210 DEPT 19 DUE 08/06/2021 DESC:Business cards

CONDITIONS THAT PREVENT POSTING INVOICE 1172/20006

* Invoice must be approved or voided to post.

1849 00001 VERIZON 9884537816 081521 84.86 .00 .00

CASH 000008 2021/09 INV 08/06/2021 SEP-CHK: N DISC: .00 11001902 62070 84.86 1099:
ACCT 1Y210 DEPT 19 DUE 08/06/2021 DESC:PBZ CELLPHONES

CONDITIONS THAT PREVENT POSTING INVOICE 1849/20013

* Invoice must be approved or voided to post.

1849 00001 VERIZON 9884537816-1 081521 25.15 .00 .00

CASH 000008 2021/09 INV 08/06/2021 SEP-CHK: N DISC: .00 11001902 62070 25.15 1099:
CVD19 -PBZ -EQUIP -
ACCT 1Y210 DEPT 19 DUE 08/06/2021 DESC:ZONING CELLPHONE

CONDITIONS THAT PREVENT POSTING INVOICE 1849/20014

* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22154 081521 604.57 .00 .00

CASH 000008 2021/09 INV 08/06/2021 SEP-CHK: N DISC: .00 180119 63150 604.57 1099:
18-04 -CONTSVC -002 WBK -
ACCT 1Y210 DEPT 19 DUE 08/06/2021 DESC:Fox Metro O&M - Prof Srvcs 5/30-7/3/2021

CONDITIONS THAT PREVENT POSTING INVOICE 1928/20015

* Invoice must be approved or voided to post.

CLERK: pherber BATCH: 1742 NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
1928 00000 WBK ENGINEERING,	22153		081521	107.50	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	107.50	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:JPC TREE CARD PROF SRVCS 5/30 - 7/3/2021			21-20 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20016						
* Invoice must be approved or voided to post.							
1928 00000 WBK ENGINEERING,	22152		081521	242.68	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	242.68	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:4819 ROUTE 52 PROF SRVCS 5/30 - 7/3/2021			20-07 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20017						
* Invoice must be approved or voided to post.							
1928 00000 WBK ENGINEERING,	22151		081521	219.68	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	219.68	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:2025 SIMONS RD PROF SRVCS 5/30 - 7/3/2021			20-06 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20018						
* Invoice must be approved or voided to post.							
1928 00000 WBK ENGINEERING,	22150		081521	211.93	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	211.93	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:GO PRO PROF SRVCS 5/30 - 7/3/2021			20-16 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20019						
* Invoice must be approved or voided to post.							
1928 00000 WBK ENGINEERING,	22149		081521	107.50	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	107.50	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:FOUR SEASONS STORAGE PROF SRVCS 5/30 - 7/3/2021			19-39 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20020						
* Invoice must be approved or voided to post.							

CLERK: pherber BATCH: 1742 NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
1928 00000 WBK ENGINEERING,	22148		081521	273.43	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	273.43	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:276 ROUTE 52 PROF SRVCS 5/30-7/3/2021			20-02 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20021						
* Invoice must be approved or voided to post.							
1928 00000 WBK ENGINEERING,	22147		081521	188.93	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	188.93	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:JOLIET PARK DIST. PROF SRVCS 5/30-7/3/2021			20-01 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20022						
* Invoice must be approved or voided to post.							
1928 00000 WBK ENGINEERING,	22145		081521	726.43	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	726.43	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:9000 ROUTE 34 PROF SRVCS 5/30-7/3/2021			20-32 -CONTSVC	-002 WBK -	
CONDITIONS THAT PREVENT POSTING INVOICE	1928/20023						
* Invoice must be approved or voided to post.							
1969 00000 RANDY ERICKSON	JULY 2021		081521	600.00	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		11001902 63610	600.00	1099:7
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:4 PLUMBING INSPECTIONS JULY 2021					
CONDITIONS THAT PREVENT POSTING INVOICE	1969/20012						
* Invoice must be approved or voided to post.							
3214 00000 MAJEY CONCRETE I	Refund-Escrow #19-06		081521	725.50	.00	.00	
CASH 000008 2021/09	INV 08/06/2021	SEP-CHK: N	DISC: .00		180119 63150	725.50	1099:
ACCT 1Y210 DEPT 19	DUE 08/06/2021	DESC:Lighr Rd Industrial Pk Lots 6-10			19-06 -REFUND	-003 -	
CONDITIONS THAT PREVENT POSTING INVOICE	3214/20011						
* Invoice must be approved or voided to post.							
15 PENDING UNPAID INVOICES		TOTAL		4,299.70			

CLERK: pherber BATCH: 1742 NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE

0 INVOICE(S) REPORT POST TOTAL .00

REPORT TOTALS .00

CLERK: pherber BATCH: 1743 NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE

PENDING UNPAID INVOICES

1928 00000 WBK ENGINEERING, 22146 081521 188.93 .00 .00

CASH 000008 2021/09 INV 08/09/2021 SEP-CHK: N DISC: .00 180119 63150 188.93 1099:
19-45 -CONTSVC -101PERS -LOCAL

ACCT 1Y210 DEPT 19 DUE 08/09/2021 DESC:9211 Route 126 Prof Srvcs 5/30 - 7/3/2021

CONDITIONS THAT PREVENT POSTING INVOICE 1928/20024

* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22091 081521 838.48 .00 .00

CASH 000008 2021/09 INV 08/09/2021 SEP-CHK: N DISC: .00 180119 63150 838.48 1099:
19-45 -CONTSVC -101PERS -LOCAL

ACCT 1Y210 DEPT 19 DUE 08/09/2021 DESC:9211 Route 126 Prof Srvcs 05/02 - 05/29/21

CONDITIONS THAT PREVENT POSTING INVOICE 1928/20025

* Invoice must be approved or voided to post.

2 PENDING UNPAID INVOICES TOTAL 1,027.41

0 INVOICE(S) REPORT POST TOTAL .00

REPORT TOTALS .00

CLERK: pherber BATCH: 1790 NEW INVOICES

VENDOR REMIT NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE

PENDING UNPAID INVOICES

1165 00000 KENDALL COUNTY R 264 083121 134.00 .00 .00

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 11001902 63700 134.00 1099:
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:July 2021 Recordings

CONDITIONS THAT PREVENT POSTING INVOICE 1165/20325

* Invoice must be approved or voided to post.

1247 00000 LEO'S 2344 083121 12.00 .00 .00

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 11001902 63830 12.00 1099:
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:Name Plate

CONDITIONS THAT PREVENT POSTING INVOICE 1247/20333

* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22228 083121 184.00 .00 .00

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 180119 63150 184.00 1099:
21-08 -CONTSVC -002 WBK -
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:Sable Creek Homestead Prf Srvcs 7/4 - 7/31/2021

CONDITIONS THAT PREVENT POSTING INVOICE 1928/20329

* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22226 083121 574.43 .00 .00

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 180119 63150 574.43 1099:
19-47 -CONTSVC -002 WBK -
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:#19-47 Vet & Kennel @ Ridge & Bell

CONDITIONS THAT PREVENT POSTING INVOICE 1928/20330

* Invoice must be approved or voided to post.

1928 00000 WBK ENGINEERING, 22225 083121 107.50 .00 .00

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 180119 63150 107.50 1099:
19-45 -CONTSVC -101PERS -LOCAL
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:9211 Route 126 Prof Svcs 7/4 - 7/31/2021

CONDITIONS THAT PREVENT POSTING INVOICE 1928/20331

* Invoice must be approved or voided to post.

CLERK: pherber BATCH: 1790 NEW INVOICES

VENDOR	REMIT	NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
2063	00000	RUNCO OFFICE SUP	836980-0 * 837255-0		083121	45.58	.00	.00	

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 11001902 62000 45.58 1099:
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:OFFICE SUPPLIES

CONDITIONS THAT PREVENT POSTING INVOICE 2063/20324

* Invoice must be approved or voided to post.

VENDOR	REMIT	NAME	INVOICE	PO	CHECK RUN	NET AMOUNT	EXCEEDS PO BY	PO BALANCE	CHK/WIRE
3220	00000	MARK NICHOLS	BP# 02-2021-141		083121	388.00	.00	.00	

CASH 000008 2021/09 INV 08/23/2021 SEP-CHK: N DISC: .00 11001902 63850 388.00 1099:
ACCT 1Y210 DEPT 19 DUE 08/23/2021 DESC:Refund for Garage Permit

CONDITIONS THAT PREVENT POSTING INVOICE 3220/20336

* Invoice must be approved or voided to post.

7 PENDING UNPAID INVOICES TOTAL 1,445.51

0 INVOICE(S) REPORT POST TOTAL .00

REPORT TOTALS .00

FOR 2021 09

ACCOUNTS FOR: 1100 General Fund		ORIGINAL APPROP	TRANFRS/ ADJSTMTS	REVISED BUDGET	YTD ACTUAL	ENCUMBRANCES	AVAILABLE BUDGET	PCT USED
11001902 Planning, Building and Zoning								
11001902 41180	Building Fee / P	-68,000	0	-68,000	-109,600.96	.00	41,600.96	161.2%
11001902 41190	PBZ - Recording	-1,200	0	-1,200	-1,809.00	.00	609.00	150.8%
11001902 41200	Zoning Fee	-10,000	0	-10,000	-18,478.50	.00	8,478.50	184.8%
11001902 41450	2012 NRA Source	-10	0	-10	.00	.00	-10.00	.0%*
11001902 51030	Salaries - Cleri	28,990	0	28,990	14,720.00	.00	14,270.00	50.8%
11001902 51070	Salaries - Manag	72,096	0	72,096	51,021.73	.00	21,074.27	70.8%
11001902 51080	Salaries - Compl	70,624	0	70,624	46,171.10	.00	24,452.90	65.4%
11001902 51090	Salaries - ZBA P	3,200	0	3,200	1,750.00	.00	1,450.00	54.7%
11001902 62000	Office Supplies	1,700	0	1,700	1,536.68	.00	163.32	90.4%
11001902 62010	Postage	1,000	0	1,000	972.15	.00	27.85	97.2%
11001902 62030	Dues	775	0	775	583.00	.00	192.00	75.2%
11001902 62040	Conferences	500	0	500	290.28	.00	209.72	58.1%
11001902 62050	Mileage	50	0	50	.00	.00	50.00	.0%
11001902 62060	Training	2,500	0	2,500	.00	.00	2,500.00	.0%
11001902 62070	Cellular Phones	2,500	0	2,500	797.89	.00	1,702.11	31.9%
11001902 62090	Legal Publicatio	1,500	0	1,500	419.74	.00	1,080.26	28.0%
11001902 62160	Equipment	400	0	400	289.83	.00	110.17	72.5%
11001902 62170	Vehicle Maintena	2,500	0	2,500	1,912.97	.00	587.03	76.5%
11001902 63610	Plumbing Inspect	14,000	0	14,000	9,300.00	.00	4,700.00	66.4%
11001902 63630	Consultants	13,500	0	13,500	7,147.00	.00	6,353.00	52.9%
11001902 63670	NPDES Permit Fee	1,000	0	1,000	1,000.00	.00	.00	100.0%
11001902 63700	Recording Fees	1,200	0	1,200	1,397.00	.00	-197.00	116.4%*
11001902 63800	Regional Plan Co	500	0	500	11.00	.00	489.00	2.2%
11001902 63810	Zoning Board of	500	0	500	.00	.00	500.00	.0%
11001902 63830	Historical Prese	500	0	500	236.70	.00	263.30	47.3%
11001902 63840	Ad Hoc Zoning	500	0	500	.00	.00	500.00	.0%
11001902 63850	Refunds	50	0	50	6,650.98	.00	-6,600.98	********%*
TOTAL Planning, Building and Zoning		140,875	0	140,875	16,319.59	.00	124,555.41	11.6%
TOTAL General Fund		140,875	0	140,875	16,319.59	.00	124,555.41	11.6%
	TOTAL REVENUES	-79,210	0	-79,210	-129,888.46	.00	50,678.46	
	TOTAL EXPENSES	220,085	0	220,085	146,208.05	.00	73,876.95	

PRIOR FUND BALANCE	20,284,745.49
CHANGE IN FUND BALANCE - NET OF REVENUES/EXPENSES	-1,235,317.92
REVISED FUND BALANCE	19,049,427.57

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: September 1, 2021
Re: Mid Fiscal Year 2020-2021 Escrow Report

Below please find the balances of the various escrow accounts as of the close of business on August 31, 2021.

Tanglewood Trails	$32,582.00
Fox Metro O&M Building	$2,716.71 (3 Replenishments)
NICOR-Miller and Creek	$692.39
Schlapp Road Banquet Center	$424.00
Enbridge Energy Project on Chicago Rd	$0.00 (Project Closed) (1 Replenishment)
ANR Pipeline-Burr Oak and Griswold Springs	$330.00
Light Road Industrial Park Lots 6-10	$0.00 (Project Closed) (1 Replenishment)
2884 Route 126 (O'Donovan)	$1,200.00
9211 Route 126 (D Construction)	$469.68 (3 Replenishments)
13039 McKanna Road	$0.00
Four Seasons Storage	$5,265.00 (2 Replenishments)
NE Corner of Ridge and Bell	$4,282.92 (1 Replenishment)
Joliet Park District	$1,445.89 (1 Replenishment)
276 Route 52 (TZ Landscaping)	$174.07
3485 Route 126	$1,042.50
Go Pro Baseball	$1,326.82
2025 Simons (Paul Yearsley)	$657.82
4819 Route 52 (Heap)	$204.82
McKanna Road Barn (Barrios)	$877.50
9000 Route 34 (Mark Cox)	$473.57
4405 Van Dyke (Prodehl)	$1,079.75 (1 Replenishment)
SW Corner of E. Beecher and Galena	$1,092.50
12830 Ashley Road	$1,200.00
Clow Pond	$1,200.00
83. S. Linden	$1,200.00
10744 Route 47	$1,200.00

The balance in the Fox River Watershed Stormwater Mitigation account was $387,100.00.

The balance in the Henneberry Woods account was $115,091.11.

The balance in the Ravine Woods account was $9,350.79.

The balance in the Land Cash account was $241,929.00.

If you have any questions regarding this memo, please let me know.

MHA

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Petition 21-26
Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis
Major Amendment to A-1 Special Use for a Banquet Facility

INTRODUCTION

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials are included as Attachment 1. Ordinance 2019-23 is included as Attachment 2.

SITE INFORMATION

PETITIONER Robert Bright on Behalf of the Madison Trust and Castle Bank NA and JoAnn Bright Theis

ADDRESS 10978 Crimmin Road, Newark

LOCATION Approximately 0.54 Miles South of the Intersection of Fox River Drive and Crimmin Road on the East Side of Crimmin Road



TOWNSHIP Fox

PARCEL #s 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008

LOT SIZE 38.34 +/- Acres

EXISTING LAND USE Agricultural/Farmstead/Banquet Facility

ZONING A-1 Agricultural District with a Special Use Permit for a Banquet Facility

LRMP

Future Land Use	Agricultural
Roads	Crimmin Road is a Major Collector Road and is also classified as a Scenic Route.
Trails	None
Floodplain/ Wetlands	A riverine wetland is located along the southwest edge of the subject property.

REQUESTED ACTION Major Amendment to A-1 Special Use to Operate a Banquet Facility

APPLICABLE REGULATIONS §7:01 D.12 – A-1 Special Uses – Permits Banquet Facilities to be Located in the A-1 District with Approval of a Special Use Provided that the Facility Meets Certain Criteria

§ 13:08 – Special Use Procedures and Procedure for Approving Major Amendments to Existing Special Uses

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural/Wooded/ Millington Forest Preserve	A-1	Rural Residential (Max 0.65 DU/Acre) and Forest Preserve	A-1
South	Agricultural/Religious	A-1	Agricultural	A-1
East	Millington Forest Preserve	A-1	Forest Preserve	A-1
West	Agricultural/Farmstead	A-1	Rural Residential (Max 0.65 DU/Acre)	A-1, A-1 SU, R-2, and R-3

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property is included as Attachment 3.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark
Tucker-Millington Fen Natural Preserve
River Redhorse (Moxostoma carinatum)

Consultation was terminated; EcoCat related materials are included as Attachment 1, Pages 39-41 and Page 43.

NATURAL RESOURCES INVENTORY
The LESA Score was 181 indicating a low level of protection. The NRI report is included as Attachment 1, Pages 28-38.

ACTION SUMMARY

FOX TOWNSHIP
The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of dividing the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting are included as Attachment 4. The summary of the July 21, 2021, meeting is included as Attachment 8.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting are included as Attachment 5.

NEWARK FIRE PROTECTION DISTRICT
Newark Fire Protection District was emailed information on June 24, 2021.

VILLAGE OF NEWARK
The Village of Newark was emailed information on June 24, 2021.

ZPAC
ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting are included as Attachment 6. An email stating that the Petitioners applied for septic permit is included as Attachment 7.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. The Petitioners agreed to change the end time of events from Midnight to 11:00 p.m. Guests would still have one (1) hour to leave the property. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's opinion on the proposal. Kurt Buhle stated that he moved to the area for peace and quiet; the banquet facility was not a quiet operation. He stated that the north barn doors were currently not closed, events were occurring during the non-operating time of the year, and events were occurring after 10:00 p.m. John Vogt expressed concerns about noise and increase traffic. Robert Bright invited everyone, including his neighbors, onto the subject the property and that installing the sound system was on the priority list. Members Rodriguez and Wormley visited the subject property. Member Nelson suggested planting additional evergreen type trees in addition to the plantings required by the landscaping plan. The Petitioners were agreeable with this suggestion. Member Wilson suggested installing a fence in addition to the evergreens. The Kendall County Regional Planning Commission recommended approval of the Petition with the requirement that the Petitioners submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting. The vote was eight (8) in favor and zero (0) in opposition with two (2) members absent. Member Wilson made a motion to add the fencing requirement, but that motion died for lack of second. The minutes of the meeting are included as Attachment 9.

ZBA
The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 2, 2021. The Petitioners reiterated their reasons for requesting the amendments. Chairman Mohr and Member Clementi expressed concerns that the Petitioners were not following the existing regulations regarding hours of operation and having the barn doors closed. The Petitioners provided an updated landscaping plan and stated that the new trees would be planted by November 30, 2021. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's recommendations. Steve Knutson, as a private resident, felt that the Petitioners have not been following the existing regulations completely and neighbors should be given a right to have at least a few nights of quiet. Kurt Buhle expressed concerns regarding the Petitioners not following existing regulations; he was also concerned about noise, traffic, safety, security, and property values. The Kendall County Zoning Board of Appeals recommended approval of the request by vote of four (4) in favor and zero (0) in opposition with three (3) members absent subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.

2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall at the time of planting and shall be planted by November 30, 2021.

3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.

4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.

5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.

6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.

7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.

8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.

10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.

11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The minutes of the hearing are included as Attachment 10.

GENERAL
As noted in Attachment 2, Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.

B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.

E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

H. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified

music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

K. A new certificate of occupancy must be issued for the barn.

L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted on Attachment 1, Page 5, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. As noted on Attachment 1, Pages 3-4, the Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners are requesting the following changes to the special use permit (changes marked in red):

C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance ~~**at a banquet center related event may be on the subject property at a given time.**~~ **within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.**

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~**For events with music, the north and south barn doors shall close by 7:00 p.m.**~~

J. ~~**Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events**~~

~~would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).~~ **Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.**

The Petitioners provided a comparison of certain restrictions on banquet centers which can be found on Attachment 1, Page 6.

The Petitioners have no plans to change the site plan or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, J, and the landscaping plan to include more evergreen type trees, the Petitioners do not propose any other changes to the requirements of the special use permit.

BUILDING CODES
An updated Occupancy Permit will be required reflecting the change of use.

ENVIRONMENTAL HEALTH
The Petitioners were working with Environmental Health regarding the size of the septic system.

ROAD ACCESS
The property fronts Crimmin Road.

PARKING AND INTERNAL TRAFFIC CIRCULATION
According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

LIGHTING
Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

SIGNAGE
One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

LANDSCAPING
As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue. At the Zoning Board of Appeals hearing, the Petitioners submitted a revised landscaping plan showing the planting of twelve (12) additional cedar trees that will be approximately twelve feet (12') in height at the time of planting. The planting of the cedar trees will occur in the fall of 2021.

NOISE CONTROL
All music and noise shall originate inside the venue except for processionals and recessionals at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings, and control of the sound system, the Petitioners believe noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

FINDINGS OF FACT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.**

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.**

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 site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.**

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. **True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness." Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.**

RECOMMENDATION

Staff recommends approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on Attachment 1, Page 5.
2. The landscaping plan referenced in Condition 2.A is amended to include the amended landscaping provided at the Zoning Board of Appeals hearing. **The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021. (Added at ZBA)**
3. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:

   C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the

total allowable guests shall not exceed a total of two hundred eighty (280) guests.

4. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:

   I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. **Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit. (Added at ZBA)**

5. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:

   J. Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

6. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.

7. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The draft ordinance is attached.

ATTACHMENTS

1. Application Materials
2. Ordinance 2019-23
3. Aerial
4. July 6, 2021 Fox Township Planning Commission Minutes
5. July 12, 2021 Fox Township Board Minutes
6. July 6, 2021 ZPAC Minutes (This Petition Only)
7. July 12, 2021 Email from the Kendall County Health Department
8. July 21, 2021 Fox Township Planning Commission Meeting Summary
9. July 28, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)
10. August 2, 2021 Kendall County Zoning Board of Appeals Minutes (This Petition Only)
11. Draft Ordinance

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Brighter Daze Farms **FILE #:** 21-26

NAME OF APPLICANT		
Robert Bright and JoAnn Bright-Theis		
CURRENT LANDOWNER/NAME(s)		
Madison Trust and Castle Bank NA		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
38.34 Acres	10978 Crimmins Rd. in Fox Township	04-29-300-010 and more
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
Agricultural	A-1	Agricultural

REQUESTED ACTION (Check All That Apply):

____SPECIAL USE	___ MAP AMENDMENT (Rezone to ____)	___ VARIANCE
____ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:_____	___ SITE PLAN REVIEW
___ TEXT AMENDMENT	___ RPD (___Concept; ___ Preliminary; ___ Final)	___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT	___ FINAL PLAT	___ OTHER PLAT (Vacation, Dedication, etc.)

X AMENDMENT TO A SPECIAL USE (X Major; _____ Minor)

[1]**PRIMARY CONTACT**	**PRIMARY CONTACT MAILING ADDRESS**	**PRIMARY CONTACT EMAIL**
Boyd Ingemunson	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #**(Cell, etc.)
[redacted]	[redacted]	[redacted]
[2]**ENGINEER CONTACT**	**ENGINEER MAILING ADDRESS**	**ENGINEER EMAIL**
n/a	n/a	n/a
ENGINEER PHONE #	**ENGINEER FAX #**	**ENGINEER OTHER #** (Cell, etc.)
n/a	n/a	n/a

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 [redacted] **DATE** 6/22/21

FEE PAID:$ 1125.00
CHECK #: [redacted]

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

RECEIVED
JUN 22 2021
KENDALL COUNTY PLANNING, BUILDING & ZONING

Last Revised: 12.15.20
Major Amendment to a Special Use

PROPOSED AMENDMENTS TO SPECIAL USE

Original Conditions

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

Proposed Amended Conditions:

C. A maximum of two hundred eighty (280) guests shall be allowed to be in attendance within event space A at a given time. A maximum of sixty (60) guests shall be allowed to be in attendance within event space B at a given time. There shall only be one event taking place at a given time and the total allowable guests shall not exceed a total of two hundred (280) guests.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of the building.

J. Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event space A would close on November 1st and reopen April 1st. Event space B may operate year round.

Mission Statement (Event Space "B")

BrighterDaze Farm is committed to offering an exclusive and memorable experience for our customer's event. BrighterDaze is the ideal setting for anyone looking for a beautiful, private and spacious venue. We provide an 2,900 square foot event space that can accommodate intimate weddings of approximately (60) people. We understand that everyone has a different idea of perfect; that's why we allow our customers the opportunity to customize the finest details of their event.

Business Plan

Hours of Operation:

Monday – Thursday: 9:00 AM – 10:00 PM

Friday – Saturday: 9:00 AM – 12:00 PM

Holiday Schedule: Open on the Eve and Day of all Federal Holidays

Open Year Round

Event Tours scheduled by appointment by appointment only outside hours of operation

Event Setup begins at 9:00 AM CST the day of event

Customers are to "vacate" the property 1 hour after conclusion of event

# of Employees: 1

Event Setup & Cleanup Plans: BDF to utilize local sub-contracting services for all applicable trades to include but not limited to: Table(s), chair(s), linens, decorations (flowers, center-pieces, etc), food, beverage(s), bathrooms and cleanup services.

NO CASH BARS allowed

Bathrooms: Onsite.

Max Occupancy: 60 people

Venue Information: 2,900 sq ft Intimate Event Space

10978 Crimmins Rd • Newark, IL 60541 • [redacted] [redacted]

Noise Control: All music/noise to originate from within venue at all times with the exception of processional(s)/recessional(s).

Sound not to exceed 65 dB (7:00 AM – 10:00 PM)

Sound not to exceed 55 dB (10:00 PM –7:00 AM)

BrighterDaze Farm has mature trees located on the property to facilitate dampening the sound.

Distance from Venue to Crimmin Rd = 700'

Setback from Crimmin Rd to neighbors residence = 200'

Parking Plan: One-Way Traffic Pattern to be utilized during business hours

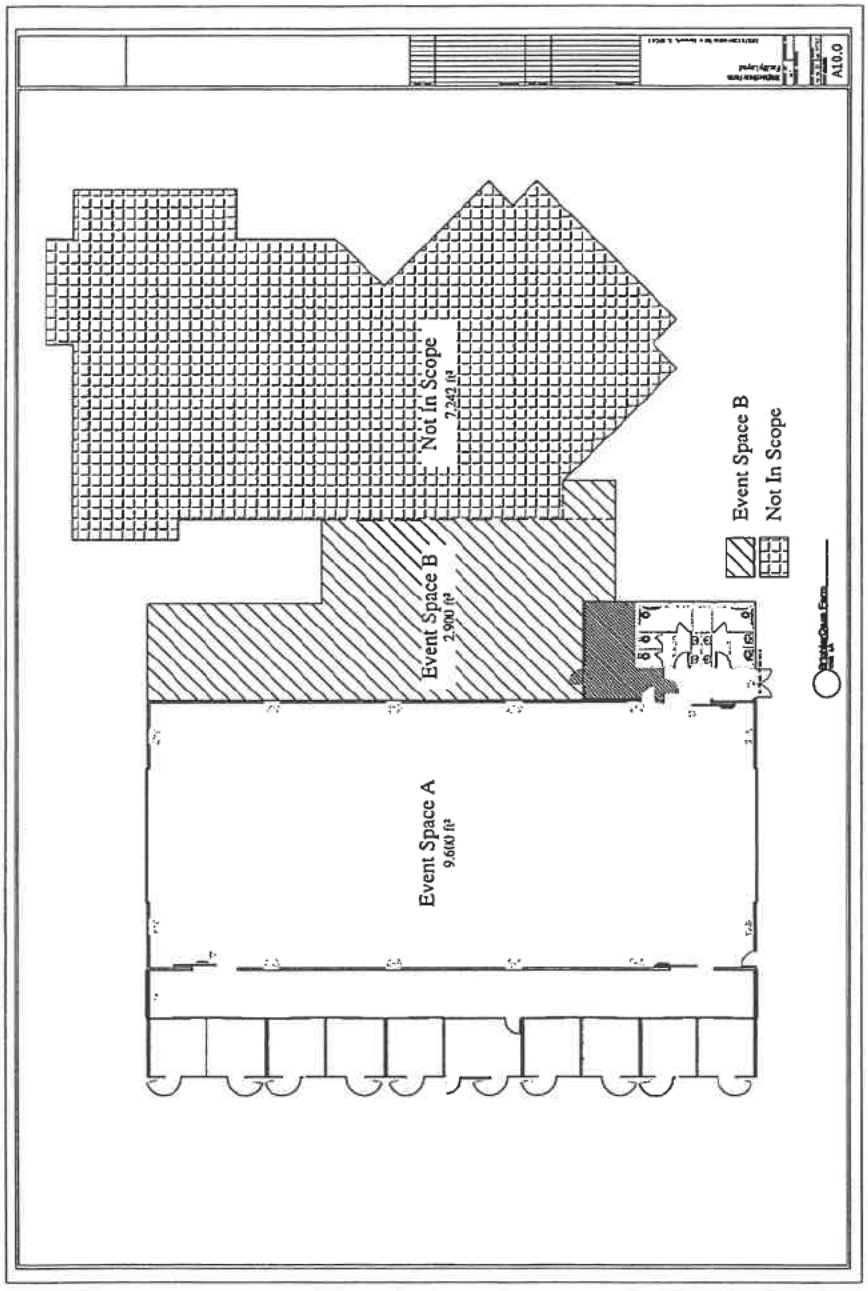
34 Regular Parking Spaces + 4 Handicapped Spaces (Venue)

75 Regular Parking Spaces (Remote)

Lighting to be "off" 1 hour after conclusion of event

Sale of Ancillary Items

BDF reserves the right to sell ancillary items such as sweaters, shirts, cups/glasses, etc


A10.0
Not In Scope
2,242 ft²
Event Space B
2,900 ft²
Event Space A
9,600 ft²
Event Space B
Not In Scope

Comparison A-1 Special Uses for Banquet Facilities

	Brighter Daze	Northfork	Ashley Farms	Mathre 1916	Harvest Moon
operation calendar	April 1st- November 30	May 1st - November 15	year round	May thru 2nd full week of November	May 1st - October 31st
# of Events	30	No limit	60	No limit	No more than 4 events in a 7 day period
Days of Operation	Friday - Monday Mon or Thurs if federal holiday	No limit	No limit	No limit	No limit
Music Restrictions	- No music outside building - Barn Doors closed by 7 p.m.	No Restriction	No music outside building	No Restriction	- No music outside building - No bands
Event end time	10:00 p.m	No Restriction	12:00 a.m.	11:30 p.m.	12:00 a.m.

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of 88°55'20" with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of 136°30'40" with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of 105°18'51" with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of 136°53'45" with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of 148°16'44" with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of 89°59'40" with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of 95°37'45" with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of 107°48'12" with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

CHICAGO TITLE INSURANCE COMPANY **COMMITMENT NO. [redacted]**

ORIGINATING OFFICE:	FOR SETTLEMENT INQUIRIES, CONTACT:
Chicago Title Company, LLC 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Email: auroraescrow@ctt.com	Chicago Title and Trust Company 2000 West Galena, Suite 105 Aurora, IL 60506 Main Phone: (630)892-3775 Main Fax: (630)892-9241

Issued By: Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560

SCHEDULE A

ORDER NO. [redacted]

Property Ref.: Vacant land, Newark, IL 60541

1. Effective Date: September 20, 2017
2. Policy or Policies to be issued:
   a. ALTA Owner's Policy 2006
      Proposed Insured: Madison Trust Company, Custodian FBO Robert A. Bright M1507085
      Policy Amount: $250,000.00
   b. ALTA Loan Policy 2006
      Proposed Insured: First National Bank, its successors and/or assigns as their respective interests may appear
      Policy Amount: $390,000.00
3. The estate or interest in the land described or referred to in this Commitment is:
   Fee Simple
4. Title to the estate or interest in the land is at the Effective Date vested in:
   First National Bank of Omaha, DeKalb Illinois, (formerly known as Castle Bank, a division of First National Bank of Omaha) as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Nuber 2526, as to parcels 1 and 2

   Madison Trust Company, Custodian FBO Robert A. Bright M1507085 as to parcel 3

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

SCHEDULE A
(continued)

5. The land referred to in this Commitment is described as follows:

PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 29, THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30, THAT PART OF THE NORTHEAST QUARTER OF SECTION 31 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET FOR A POINT OF BEGINNING; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 1058.74 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH IS TANGENT TO THE LAST DESCRIBED CURVE AT THE LAST DESCRIBED POINT, 299.42 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A CURVE TO THE LEFT WITH A RADIUS OF 730.0 FEET, AN ARC DISTANCE OF 8.76 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER OF SECTION 29; THENCE SOUTHERLY, ALONG SAID WEST LINE, 22.82 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 53 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 1066.40 FEET; THENCE SOUTH SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 16 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 889.54 FEET TO A POINT ON A SOUTHERLY LINE OF A TRACT CONVEYED TO ROBERT A BRIGHT, AS TRUSTEE OF THE ROBERT A BRIGHT DECLARATION OF TRUST BY TRUSTEE'S DEED RECORDED AS DOCUMENT 9801248 ON FEBRUARY 4, 1998; THENCE SOUTHWESTERLY ALONG SAID SOUTHERLY LINE WHICH FORMS AN ANGLE OF 89 DEGREES 59 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 197.0 FEET TO A SOUTHERLY CORNER OF SAID BRIGHT TRACT; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 95 DEGREES 37 MINUTES 45 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 359.61 FEET TO A POINT ON A LINE DRAWN EASTERLY, PARALLEL WITH THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 32, FROM THE POINT OF BEGINNING AND WHICH IS 607.20 FEET FROM THE POINT OF BEGINNING; THENCE WESTERLY, ALONG SAID PARALLEL LINE WHICH FORMS AN ANGLE OF 107 DEGREES 48 MINUTES 12 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 607.20 FEET TO THE POINT OF BEGINNING;

EXCEPT THAT PART DESCRIBED AS FOLLOWS: THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 233.54 FEET

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SCHEDULE A
(continued)

FOR A POINT OF BEGINNING; THENCE CONTINUING SOUTHERLY, ALONG SAID EAST LINE, 178.96 FEET; THENCE WESTERLY, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO THE POINT OF BEGINNING;

AND ALSO EXCEPT THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WESTERLY, ALONG A LINE WICH IS PARALLEL WITH TEH NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31, WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST

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SCHEDULE A
(continued)

DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 33.0 FEET TO THE POINT OF BEGINNING; ALL IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 2:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506. 73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 500.21 FEET FOR A POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH IS RADIAL TO SAID LAST DESCRIBED CURVE, 575.07 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 109 DEGREES 41 MINUTES 44 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 140.52 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 100 DEGREES 39 MINUTES 04 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 230.0 FEET; THENCE EASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 148 DEGREES 24 MINUTES 34 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 105.22 FEET TO A POINT ON THE EAST LINE OF SAID NORTHEAST QUARTER OF SECTION 31 WHICH IS 233.54 FEET SOUTHERLY OF THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHERLY, ALONG SAID EAST LINE, 233.54 FEET TO SAID NORTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 112 DEGREES 15 MINUTES 30 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 341.46 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 160 DEGREES 32 MINUTES 46 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 451.82 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHWESTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF

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SCHEDULE A
(continued)

33.0 FEET TO THE POINT OF BEGINNING IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

PARCEL 3:

THAT PART OF THE SOUTHEAST QUARTER OF SECTION 30 AND THAT PART OF THE NORTHEAST QUARTER OF SECTION 31, TOWNSHIP 36 NORTH, RANGE 6 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER OF SECTION 31; THENCE SOUTHERLY, ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 412.50 FEET; THENCE WEST, ALONG A LINE WHICH IS PARALLEL WITH THE NORTH LINE OF SAID NORTHEAST QUARTER AND WHICH FORMS AN ANGLE OF 88 DEGREES 55 MINUTES 20 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 628.98 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 136 DEGREES 30 MINUTES 40 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 506.73 FEET TO THE CENTERLINE OF CRIMMINS ROAD; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE WHICH FORMS AN ANGLE OF 105 DEGREES 18 MINUTES 51 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 50.50 FEET; THENCE NORTHEASTERLY, ALONG SAID CENTERLINE BEING A TANGENTIAL CURVE TO THE RIGHT WITH A RADIUS OF2300.0 FEET, AN ARC DISTANCE OF 96.90 FEET; THENCE CONTINUING ALONG SAID CENTERLINE AND THE LAST DESCRIBED COURSE BEING A CURVE TO THE RIGHT WITH A RADIUS OF2300.0 FEET, AN ARC DISTANCE OF 279.87 FEET FOR THE POINT OF BEGINNING; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 85 DEGREES 16 MINUTES 45 SECONDS WITH THE CHORD OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 336.0 FEET; THENCE SOUTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 64.05 FEET; THENCE SOUTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 273.94 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 33.58 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 79 DEGREES 20 MINUTES 56 SECONDS WITH THE PROLONGATION OF THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 239.11 FEET; THENCE NORTHEASTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 92 DEGREES 26 MINUTES 37 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED COUNTER-CLOCKWISE THEREFROM, 57.63 FEET; THENCE NORTHWESTERLY, ALONG A LINE WHICH FORMS AN ANGLE OF 99 DEGREES 38 MINUTES 52 SECONDS WITH THE LAST DESCRIBED COURSE, MEASURED CLOCKWISE THEREFROM, 361.78 FEET TO SAID CENTERLINE OF CRIMMINS ROAD; THENCE SOUTHEASTERLY, ALONG SAID CENTERLINE, BEING A NON-TANGENTIAL CURVE TO THE LEFT WITH A RADIUS OF 2300.0 FEET, AN ARC DISTANCE OF 30.0 FEET TO THE POINT OF BEGINNING

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

SCHEDULE A
(continued)

IN FOX TOWNSHIP, KENDALL COUNTY, ILLINOIS.

END OF SCHEDULE A

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

SCHEDULE B

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

General Exceptions

1. **Rights or claims of parties in possession not shown by Public Records.**

2. **Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land.**

3. **Easements, or claims of easements, not shown by the Public Records.**

4. **Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the Public Records.**

5. **Taxes or special assessments which are not shown as existing liens by the Public Records.**

6. **We should be furnished a properly executed ALTA statement and, unless the land insured is a condominium unit, a survey if available. Matters disclosed by the above documentation will be shown specifically.**

7. **Note for Information: The coverage afforded by this commitment and any policy issued pursuant hereto shall not commence prior to the date on which all charges properly billed by the company have been fully paid.**

A **Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.**

B 8. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-29-300-007-0000 (1 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

SCHEDULE B
(continued)

C 9. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-29-300-010-0000 (2 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

D 10. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-29-300-012-0000 (3 of 12)

Note: Taxes for the year 2016 amounting to $2,033.16 are paid of record.

(affects part of parcel 1)

E 11. Taxes for the years 100.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-007-0000 (4 of 12)

Note: Taxes for the year 2016 amounting to $89.30 are paid of record.

(affects part of parcel 1)

F 12. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-011-0000 (5 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

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SCHEDULE B
(continued)

G 13. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-32-100-006-0000 (6 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

H 14. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-32-100-008-0000 (7 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 1)

I 15. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-012-0000 (8 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects parts of parcels 2 and 3)

J 16. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-013-0000 (9 of 12)

Note: Taxes for the year 2016 amounting to $5952.78 are paid of record.

(affects parts of parcels 2 and part of parcel 3)

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SCHEDULE B
(continued)

K 17. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-30-400-014-0000 (10 of 12)

Due to the $150 exclusion law, 35 ILCS 200/18-40, there is no amount due for the 2016 tax year.

(affects part of parcel 2)

L 18. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-31-200-013-0000 (11 of 12)

Note: Taxes for the year 2016 amounting to $18.20 are paid of record.

(affects part of parcel 3)

M 19. Taxes for the years 2017.

Taxes for the years 2017 are not yet due or payable.

Permanent Tax No.: 04-31-200-014-0000 (12 of 12)

Note: Taxes for the year 2016 amounting to $6,973.78 are paid of record.

(affects part of parcel 2)

N 20. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 201200000710 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of $900,000.00.

Modification of Mortgage recorded April 25, 2013 as Document No. 201300008721.

(affects parcels 1 and 2)

O 21. Assignment of Rents recorded January 12, 2012 as Document No. 201200000711 made by Castle Bank, a Division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.

(affects parcels 1 and 2)

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

SCHEDULE B
(continued)

P 22. Mortgage dated December 20, 2011 and recorded January 12, 2012 as Document No. 201200000712 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha to secure an indebtedness in the amount of $500,000.00.

(affects parcel 2)

Q 23. Assignment of Rents recorded January 12, 2012 as Document No. 201200000713 made by Castle Bank, a division of First National Bank of Omaha as Trustee under Trust Agreement dated November 15, 2006 and known as Trust Number 2526 to First National Bank of Omaha.

(affects parcel 2)

AE 24. If work has been performed on the Land within the last six months which may subject the Land to liens under the mechanics lien laws, the Company should be furnished satisfactory evidence that those who have performed such work have been fully paid and have waived their rights to a lien. If evidence is not provided or is unsatisfactory, this commitment/policy will be subject to the following exception:

Any lien, or right to a lien, for services, labor or material, heretofore or hereafter furnished, imposed by law, and not shown by the Public Records.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

AB 25. Information should be furnished establishing whether any written agreement has been entered into by and between any party and a broker for the purposes of buying, selling, leasing or otherwise conveying any interest in the Land described herein. If such an agreement has been entered into, satisfactory evidence should be furnished establishing that the compensation agreed upon in such agreement has been paid and the broker's lien, or right to a lien, for such amount has been extinguished. In the event said evidence is not furnished, our policy(ies), when issued, will be subject to the following exception:

Any lien, or right to a lien, imposed by law under the provisions of the Commercial Real Estate Broker Lien Act for compensation agreed upon by a broker and the broker's client or customer under the terms of a written agreement entered into for the purposes of buying, selling, leasing, or otherwise conveying any interest in the Land described in Schedule A.

AC 26. The Company should be furnished a statement that there is no property manager employed to manage the Land, or, in the alternative, a final lien waiver from any such property manager.

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SCHEDULE B
(continued)

AF 27. The Company should be furnished the following:

a) A Certification of Trust executed by the trustee in accordance with 760 ILCS 5/8.5, together with excerpts of the trust agreement and amendments thereto relating to the designation of trustees and the power of the trustee to act in the current transaction, or
b) In the alternative, the trustee, in his or her sole discretion, may deliver to the Company a full copy of the trust agreement together with all amendments thereto.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

S 28. Terms, powers, provisions, and limitations of the Trust under which title to the Land is held.

T 29. The Land described in Schedule A either is unsubdivided property or constitutes part of a subdivided lot. As a result, a Plat Act Affidavit should accompany any conveyance to be recorded. In the alternative, compliance should be had with the provisions of the Plat Act (765 ILCS 205/1 et seq.)

AD 30. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.

U 31. Rights of the public, the state of Illinois and the municipality in and to that part of the land, if any, taken or used for road purposes. Affects part of the land lying in Crimmin Road in survey dated Jan 5, 1998 by James M. Olson, surveyor no. 2253.

V 32. Rights of way for drainage tiles, ditches, feeders, laterals and underground pipes, if any.

W 33. Rights of owners of land bordering on the streams in respect to the water and use of the surface of said body of water.

X 34. Easement granted June 9, 1964 and recorded July 21, 1964 as document 145640 by Crimmins, et al to Illinois Power Company, its successors and assigns, the right and easement for public utilities purposes as described therein, together with the right of ingress and egress thereto for said purposes. Said easement was assigned to Northern Illinois Gas Company, its successors and assigns, by instrument recorded March 3, 1966 as document 151253.

Y 35. Encroachment of the fence located mainly on the land onto the property North and adjoining by approximately 3.2 feet and along the West line measuring 255.45 feet by approximately 1.3 feet in section 30, land onto the property Southwesterly and adjoining by approximately 16.4 feet and the property Southerly and adjoining by Approximtely 19.4 feet in section 31 and onto the property South and adjoining by approximate 8.5 feet and onto the property East and adjoining by approximate 7.5 feet in section 28; onto property North and adjoining by approximate 20.5 feet in section 29; as shown on plat of survey number 2253 prepared by Illinois Professional Land Surveyer dated January 5, 1998.

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SCHEDULE B
(continued)

Z 36. Easement in favor of Nicor Gas, and its/their respective successors and assigns, to install, operate and maintain all equipment necessary for the purpose of serving the land and other property, together with the right of access to said equipment, and the provisions relating thereto contained in the grant recorded/filed as document no. 2000004172.
(see instrument for affects)

AA 37. Terms and provisions of a Kendall County Health Department Well Variance recorded October 19, 2004 as Document No. 200400029156.

(For further particulars, see record.)

AG 38. All endorsement requests should be made prior to closing to allow ample time for the company to examine required documentation.
(This note will be waived for policy).

AH 39. Note for additional information: the **"Kendall"** county recorder requires that any documents presented for recording contain the following information:

A. The name and address of the party who prepared the document;

B. The name and address of the party to whom the document should be mailed after recording;

C. All permanent real estate tax index numbers of any property legally described in the document;

D. The address of any property legally described in the document;

E. All deeds should contain the address of the grantee and should also note the name and address of the party to whom the tax bills should be sent.

F. Any deeds conveying unsubdivided land, or, portions of subdivided land, may need to be accompanied by a properly executed "plat act affidavit."

AI 40. For residential property only:

A provision for inflation coverage will be added to the owner's policy. This enhancement can automatically increase the amount of the owner's policy. For additional information, please contact your local underwriter.

END OF SCHEDULE B

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

SCHEDULE B
(continued)

Title Insurance Agent:

Daniel J. Kramer
1107A S. Bridge St.
Yorkville, IL 60560
Phone: (630)553-9500
Fax: (630)553-5764

Authorized Signatory

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CHICAGO TITLE INSURANCE COMPANY COMMITMENT NO. [redacted]

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. *The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is $2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at http://www.alta.org.*

END OF CONDITIONS

1031 EXCHANGE SERVICES

If your transaction involves a tax deferred exchange, we offer this service through our 1031 division, IPX1031. As the nation's largest 1031 company, IPX1031 offers guidance and expertise. Security for Exchange funds includes segregated bank accounts and a 100 million dollar Fidelity Bond. Fidelity National Title Group also provides a 50 million dollar Performance Guaranty for each Exchange. For additional information, or to set-up an Exchange, please call Scott Nathanson at (312)223-2178 or Anna Barsky at (312)223-2169.

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KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1 Applicant Madison Trust Company FBO Robert Bright M1507085.

Address 401 East 8th Street Suite 200P

City Sioux Falls State SD Zip 57103

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)
   - Natural Person (a)
   - ___ Corporation (b)
   - ___ Land Trust/Trustee (c)
   - ___ Trust/Trustee (d)
   - ___ Partnership (e)
   - ___ Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:
   Self-Directed IRA

5 If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
Robert Bright	[redacted]	100%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant.

Shaine Timmins, 401 East 8th Street, Suite 200P, Sioux Falls, SD 57103, Authorized Signer for Madison Trust Company

[redacted]

VERIFICATION

I, Shaine Timmins, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have red the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 19th day of March, A.D. 2019

(seal)

[redacted]
Notary Public

CHAYA TOVA SLATER
NOTARY PUBLIC-STATE OF NEW YORK
No. 01SL6348808
Qualified In Rockland County
My Commission Expires 10-03-2020

MADISON
TRUST COMPANY

CORPORATE RESOLUTION

This resolution remains in effect until you receive notice that it has been revoked or receive a new form.

I. Organization Information

a. Name of Organization: Madison Trust Company, Inc.
b. Organization Type: Trust Company serving as IRA Custodian
c. Corporate Headquarters: 401 E. 8th Street, Suite 200P, Sioux Falls, SD 57103
d. Telephone Number: 800-721-4900

II. This resolution is an authorization to act on behalf of Madison Trust Company's accounts.

III. Authorized Signatories:

The Individuals who sign below are authorized to:

a. Sign any documents related to assets held by Madison Trust Company's accounts.
b. Invest and redeem the assets held by Madison Trust Company's accounts.
c. Obtain account information and give instructions for the purchase, sale, exchange, transfer or assets or securities held by Madison Trust Company's accounts.
d. Establish access to Madison Trust Company's accounts online or through any other electronic or telephonic system.
e. Engage in any other action regarding the assets held by Madison Trust Company's accounts.

The number of signatures required on a document is one (1).

Name of authorized signatories:



E. Brian Finkelstein, Chairman _____ Dated: 02/20/2018

Mervyn Klein, CEO _____ Dated: 02/20/2018

Daniel Gleich, President _____ Dated: 02/20/2018

MADISON
TRUST COMPANY

Additional Persons who can conduct transactions:

The individuals listed below are authorized to sign Transfer Authorizations, Re-registration Confirmations, Assignment of Notes, and any documents related to assets on behalf of Madison Trust Company's accounts.

Charles Knopf
Alexa Holzberg
Aidy Markowitz
Tova Slater
Maggie Borchardt
Amanda Pillitteri
Anne McBride
Brittany Bordeau
Elizabeth Frasciello

[redacted]

Jim Riswold
Nick Talarico
Xiomara Rodriguez
Seth Bergida
Shaine Timmins
Liam Stewart
Ian Robertson
Zachary Croan

[redacted]

The individuals listed below are authorized ~~to~~ sign IRA LLC Operating Agreements on behalf of ~~Mad~~ison Trust Company's accounts.

Charles Knopf
Alexa Holzberg
Aidy Markowitz
Tova Slater
Maggie Borchardt
Amanda Pillitteri
Shaine Timmins
Ian Robertson
Elizabeth Frasciello

[redacted]

Joel Galkin
Mark Weissman
Kathleen Christman
Laurah Boswell
Anne McBride
Liam Stewart
Brittany Bordeau
Zachary Croan

[redacted]

MADISON
TRUST COMPANY

Certification and Indemnification:

The undersigned signatories of Madison Trust Company hereby certify that:

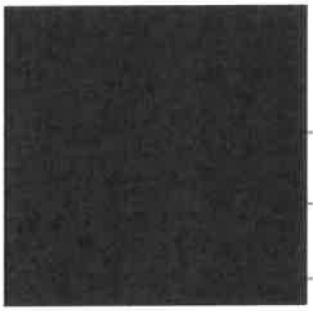
- Each of the authorized signatories listed below is authorized by resolution of the board of directors to act on behalf of the organization in connection with any of the Madison Trust Company accounts.

- Madison Trust Company agrees to indemnify and hold harmless any investment company, its officers, employees and agents from and against all losses, claims and expenses (including attorney's fees) incurred by the investment company for relying in good faith upon the information provided in this resolution and for action on instructions believed by the investment company to have originated from any authorized signatory or additional authorized person listed above.

- This resolution remains in full force and effect until revoked by an authorized signatory of Madison Trust Company. Any revocation will not affect any liability resulting from transactions initiated before the investment company has had a reasonable amount of time to act upon the revocation.

The undersigned are authorized to certify this information on behalf of Madison Trust Company and confirm that these provisions conform to the charter or other organizing document of Madison Trust Company.

Authorized Signatories:



E. Brian Finkelstein, Chairman _____ Dated: 02/20/2018

Mervyn Klein, CEO _____ Dated: 02/20/2018

Daniel Gleich, President _____ Dated: 02/20/2018

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Bright & Entheising Events

   Address 10978 Crimmin Rd

   City Newark, IL 60541 State IL Zip 60541

2. Nature of Benefit Sought Special Use Permit

3. Nature of Applicant: (Please check one)
   - ___ Natural Person (a)
   - _X_ Corporation (b)
   - ___ Land Trust/Trustee (c)
   - ___ Trust/Trustee (d)
   - ___ Partnership (e)
   - ___ Joint Venture (f)

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

   Event Venue

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
JoAnn Bright-Theis	[redacted]	25%
Adan Theis		25%
Nicola Bright		25%
Robert Bright		25%

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

   JoAnn Bright-Theis 10978 Crimmins Rd Newark, IL 60541

VERIFICATION

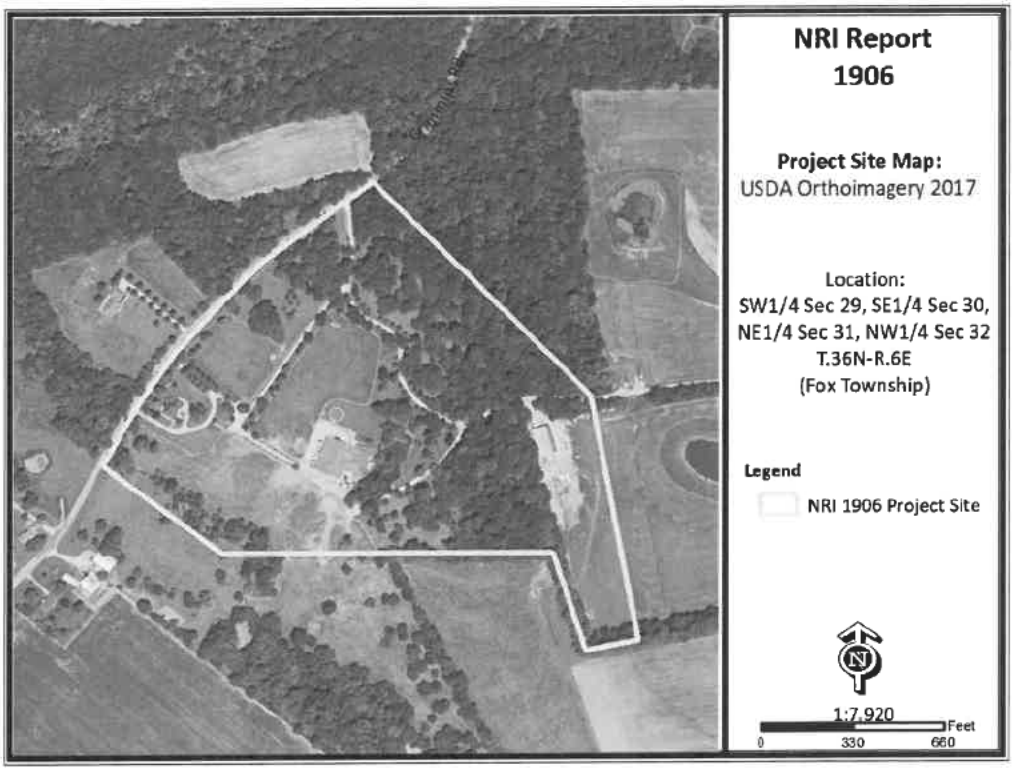
I, _____, being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have red the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this _____ day of _____, A.D. _____

(seal)

_____
Notary Public

NATURAL RESOURCE INFORMATION (NRI) EXECUTIVE SUMMARY REPORT: 1906



April 2019

Petitioner: Robert Bright
Contact: JoAnn Bright-Theis

Prepared by:

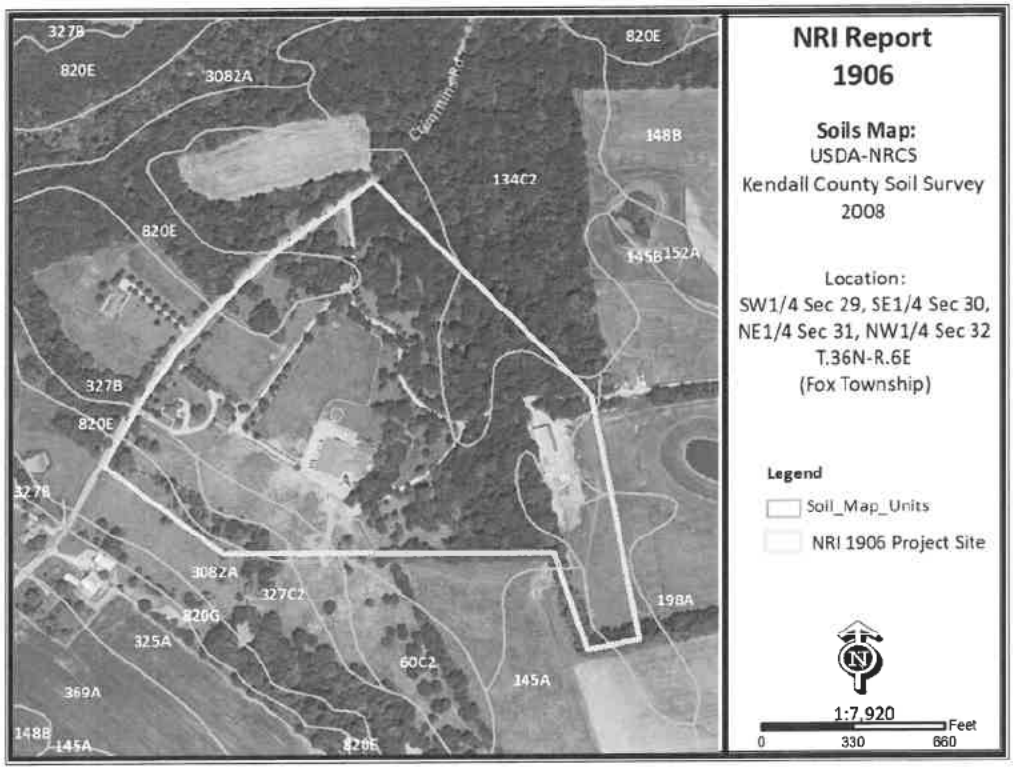
Kendall County Soil & Water Conservation District
7775A Route 47 • Yorkville, Illinois 60560
Phone: (630)553-5821 x3 • Fax: (630)553-7442
www.kendallswcd.org

1906 **Executive Summary** **April 8, 2019**

Petitioner: Robert Bright
Contact Person: JoAnn Bright-Theis
County or Municipality the petition is filled with: Kendall County
Location of Parcel: SW¼ Section 29, SE ¼ Section 30, NE ¼ Section 31 & NW ¼ Section 32 T.36N.-R.6E. (Fox Township), 3rd Principal Meridian in Kendall Co., IL
Project or Subdivision Name: Not Provided
Existing Zoning & Land Use: A-1; Residential, Barn with Paddock areas, Wooded
Proposed Zoning & Land Use: A-1 Special Use; Banquet Center
Proposed Water Source: Well
Proposed Type of Sewage Disposal System: Septic
Proposed Type of Storm Water Management: N/A
Size of Site: 38.3acres
Land Evaluation Site Assessment Score: 181 (Land Evaluation: 78; Site Assessment: 103)

Natural Resource Considerations

Soil Map:



SOIL INFORMATION:
Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; please refer to onsite soil test results for planning/engineering purposes):

Table 1:

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
134C2	Camden silt loam, 5-10% slopes, eroded	Well drained	B	Non-hydric	Statewide Importance
145A	Saybrook silt loam, 0-2% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
145B	Saybrook silt loam, 2-5% slopes	Moderately well drained	C	Non-hydric	Prime Farmland
198A	Elburn silt loam, 0-2% slopes	Somewhat poorly drained	B/D	Non-hydric Hydric Inclusions likely	Prime Farmland
327B	Fox silt loam, 2-4% slopes	Well drained	B	Non-hydric	Prime Farmland
327C2	Fox silt loam, 4-6% slopes, eroded	Well drained	B	Non-hydric	Prime Farmland
820E	Hennepin-Casco complex, 12-30% slopes	Hennepin: Well drained Casco: Somewhat Excessively drained	Hennepin: C Casco: B	Non-hydric	Non-prime
3082A	Millington silt loam, 0-2% slopes, frequently flooded	Poorly drained	B/D	Hydric	Prime Farmland (if drained and protected from flooding or not frequently flooded during growing season

Hydrologic Soil Groups: Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- ✓ **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- ✓ **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- ✓ **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- ✓ **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils: A soil that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile. Of the soils found onsite, 3082A Millington silt loam is identified as a hydric soil and, 198A Elburn silt loam is denoted as having the potential for hydric inclusions.

Prime Farmland: Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, six are designated as prime farmland one is classified as being of statewide importance.

Table 2:

Map Unit	Surface Runoff	Water Table	Ponding	Flooding
134C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
145A	Low	February - April Upper Limit: 2.0'-3.5' Lower Limit: 2.2'-3.8'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January – Dec None
145B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
198A	Low	January - May Upper Limit: 1.0'-2.0' Lower Limit: >6.0'	January - Dec Surface Water Depth & Duration: -- Frequency: None	January – Dec None
327B	Low	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
327C2	Medium	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
820E	Hennepin: Very High Casco: High	January - Dec Upper Limit: -- Lower Limit: --	January - Dec Surface Water Depth & Duration: -- Frequency: None	January - Dec None
3082A	Negligible	January - May Upper Limit: 0.0'-1.0' Lower Limit: >6.0' June, Nov, Dec: Upper Limit: -- Lower Limit: --	January - May Surface Water Depth & Duration: 0.0'-0.5'; Brief Frequency: Frequent June, Nov, Dec: Surface Water Depth & Duration: - Frequency: None	January - May Brief, Frequent June, Nov, Dec Brief, Frequent

Surface Runoff: Refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover. Indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal).

Ponding: Ponding is standing water in a closed depression. Unless a drainage system is installed, the water is removed only by percolation, transpiration or evaporation. Duration is expressed as very brief (less than 2 days), brief (2 to 7 days), long (7 to 30 days), very long (more than 30 days). Frequency is expressed as none (ponding is not probable), rare (unlikely but possible under unusual weather conditions), occasional (occurs, on average, once or less in 2 years) and frequent (occurs, on average, more than once in 2 years).

Flooding: Temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding. Duration expressed as brief is 2 to 7 days and a frequent frequency means that it is likely to occur often under normal weather conditions.

SOIL LIMITATIONS:

According to the USDA-NRCS, soil properties influence the development of building sites, including the selection of the site, the design of the structure, construction, performance after construction and maintenance. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features. Ratings are based on the soil in an undisturbed state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance.

- ✓ Not Limited: Indicates that the soil has features that are very favorable for the specified use; good performance and low maintenance can be expected.
- ✓ Somewhat Limited: Indicates that the soil has features that are moderately favorable for the specified use. The limitations can be overcome or minimized by special planning, design or installation; fair performance and moderate maintenance can be expected.
- ✓ Very Limited: Indicates that the soil has one or more features that are unfavorable for the specified use. The limitations generally cannot be overcome without major soil reclamation, special design, or expensive installation procedures; poor performance and high maintenance can be expected.

Conventional Septic System Rating Criteria:
The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. Soils that are deemed unsuitable for installation of an on-site sewage disposal system per the Kendall County Subdivision Control Ordinance may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact: Kendall County Health Department located at 811 W. John Street, Yorkville, IL; (630)553-9100 ext. 8026.

Limitations are listed below for dwellings with basements, dwellings without basements, small commercial building, shallow excavations, lawns/landscaping and onsite conventional sewage disposal systems. Please note this information is based on soils in an undisturbed state as compiled for the USDA-NRCS 2008 Soil Survey of Kendall County, IL and the Kendall County Subdivision Control Ordinance; this does not replace the need for site specific soil testing or results of onsite soil testing.

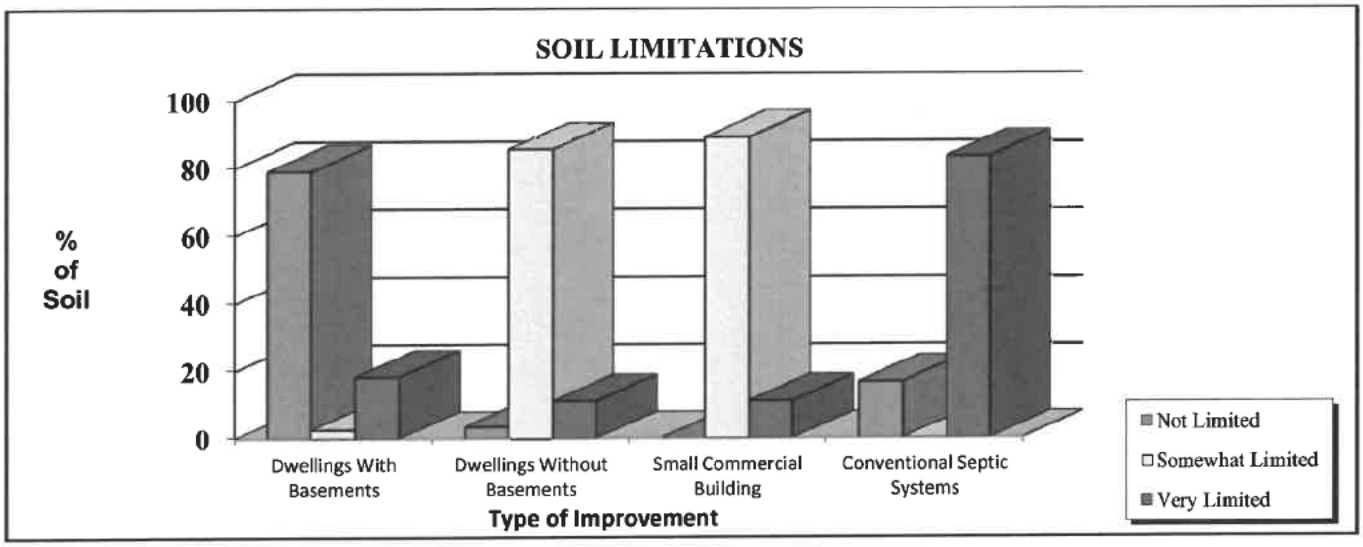
Table 3a: Building Limitations

Soil Type	Dwellings without Basements	Dwellings with Basements	Small Commercial Building	Onsite Conventional Sewage Disposal System
134C2	**Somewhat Limited:** Shrink-swell	**Not Limited**	**Somewhat Limited:** Slope, Shrink-swell	**Suitable**
145A	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone	**Somewhat Limited:** Shrink-swell	**Suitable**
145B	**Somewhat Limited:** Shrink-swell	**Somewhat Limited:** Depth to saturated zone	**Somewhat Limited:** Shrink-swell	**Suitable**
198A	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Somewhat Limited:** Depth to saturated zone; Shrink-swell	**Suitable**
327B	**Somewhat Limited:** Shrink-swell	**Not Limited**	**Somewhat Limited:** Shrink-swell	**Unsuitable:** Gravel
327C2	**Not Limited**	**Not Limited**	**Somewhat Limited:** Slope	**Unsuitable:** Gravel
820E	**Very Limited:** Slope	**Very Limited:** Slope	**Very Limited:** Slope	**Unsuitable:** Gravel
3082A	**Very Limited:** Ponding; Flooding; Depth to saturated zone	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Flooding; Depth to saturated zone	**Unsuitable:** Frequently Flooded

Table 3b: Building Limitations

Soil Type	Shallow Excavations	Lawns & Landscaping
134C2	**Somewhat Limited:** Dusty, Unstable excavation walls	**Somewhat Limited:** Dusty
145A	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty
145B	**Somewhat Limited:** Depth to saturated zone; Dusty, Unstable excavation walls	**Somewhat Limited:** Dusty
198A	**Somewhat Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty
327B	**Somewhat Limited:**	**Somewhat Limited:**

	Dusty; Unstable excavation walls	Dusty
327C2	**Somewhat Limited:** Dusty; Unstable excavation walls	**Somewhat Limited:** Dusty
820E	**Hennepin:** **Very Limited:** Slope; Dusty; Unstable excavation walls **Casco:** **Very Limited:** Slope; Unstable excavation walls; Dusty	**Hennepin:** **Very Limited:** Slope; Low exchange capacity; Dusty **Casco:** **Very Limited:** Slope; Dusty; Droughty
3082A	**Very Limited:** Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Dusty



Building Limitations Maps:

Figure 2a: Dwellings With Basements

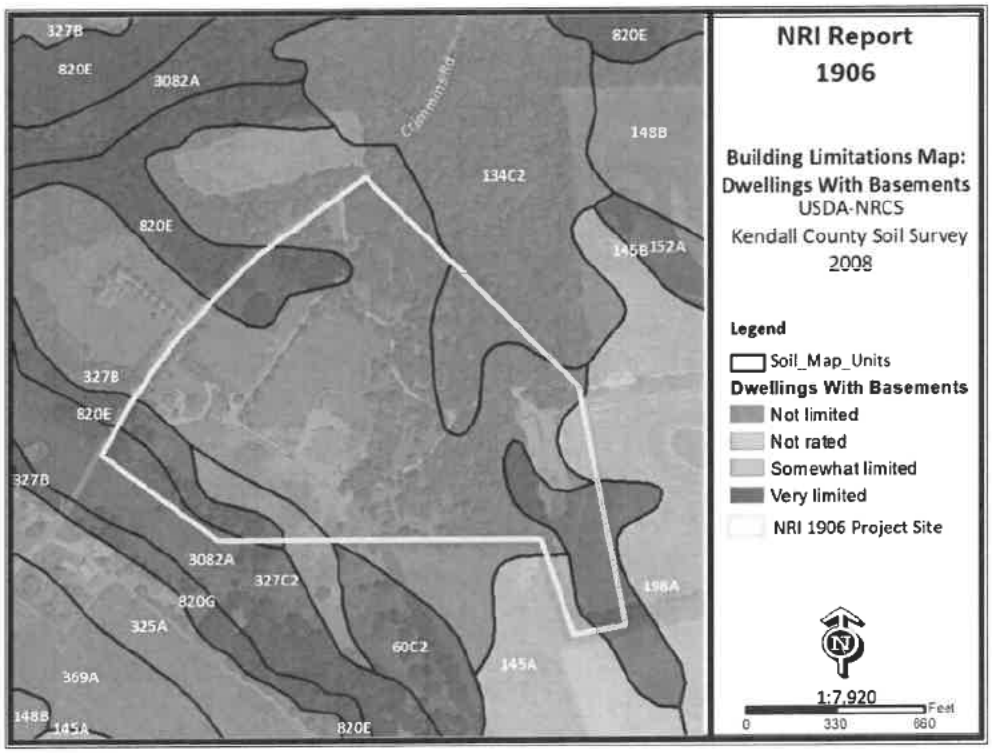


Figure 2b: Dwellings Without Basements

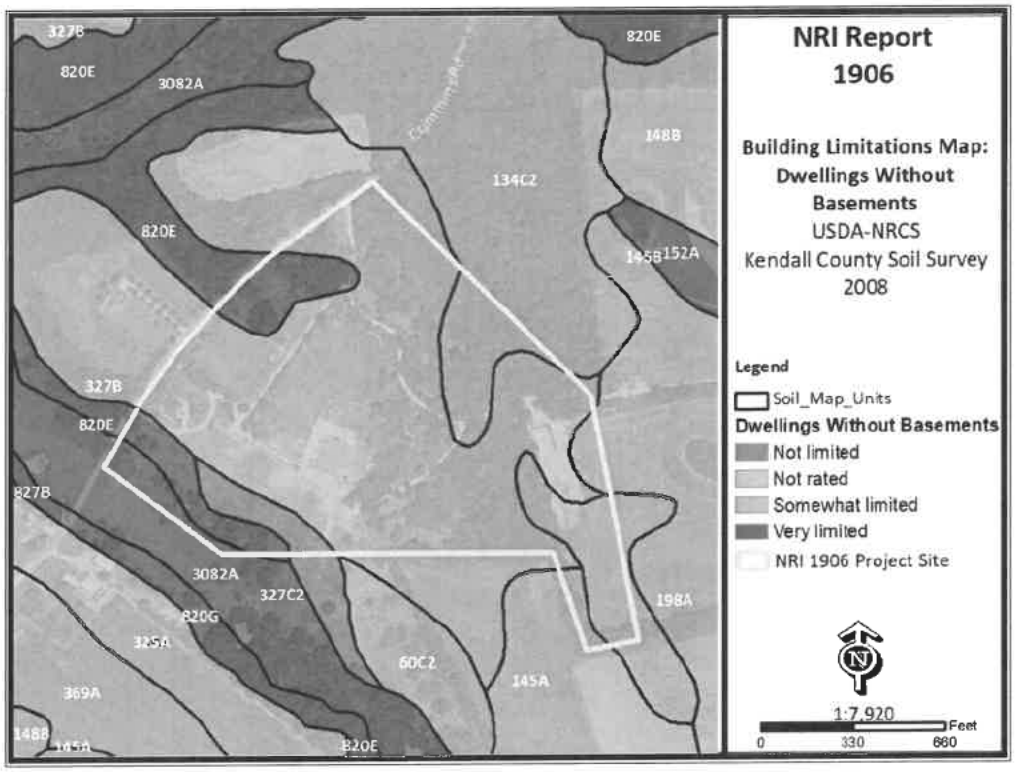


Figure 2c: Small Commercial Building

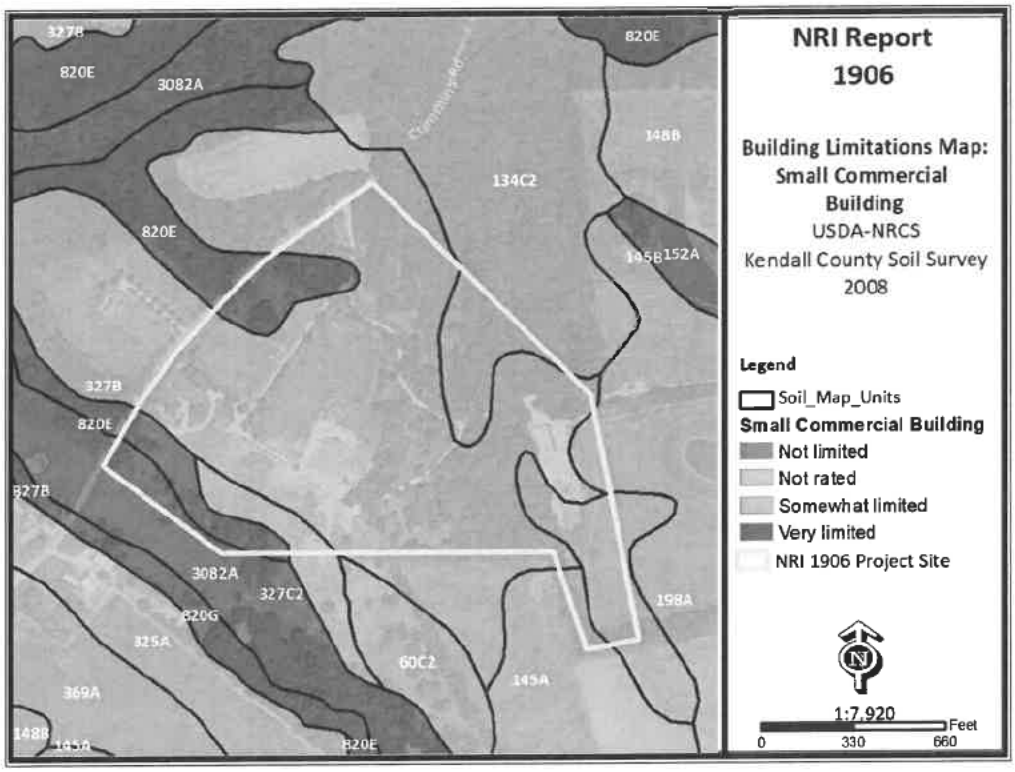


Figure 2d: Shallow Excavations

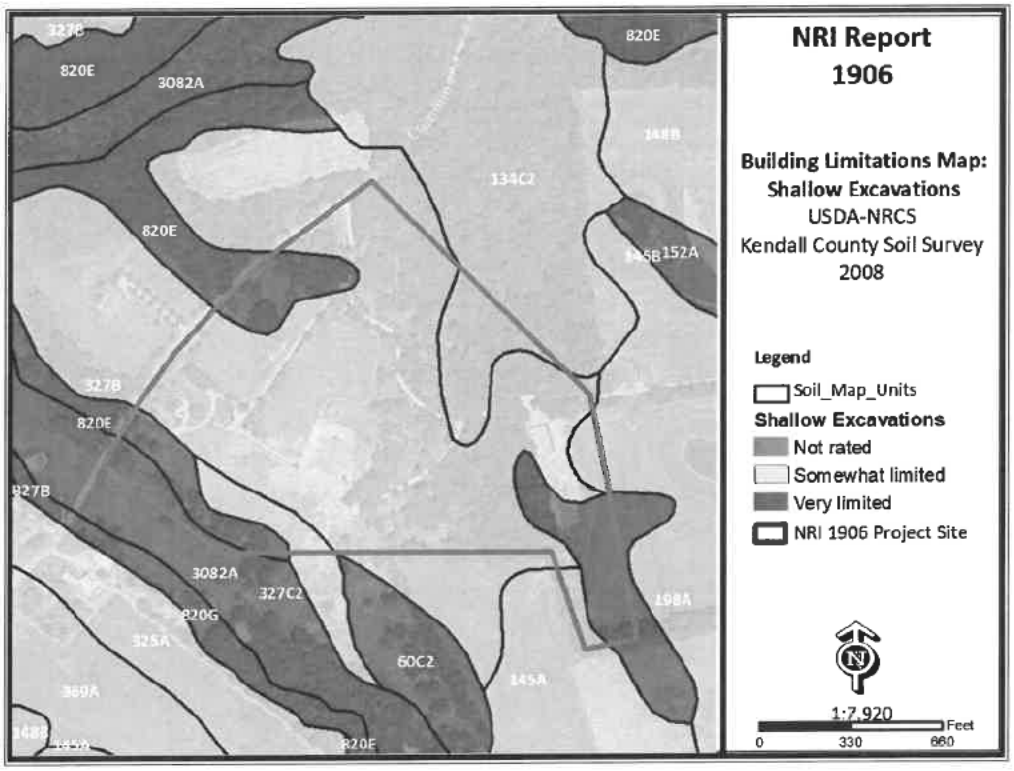
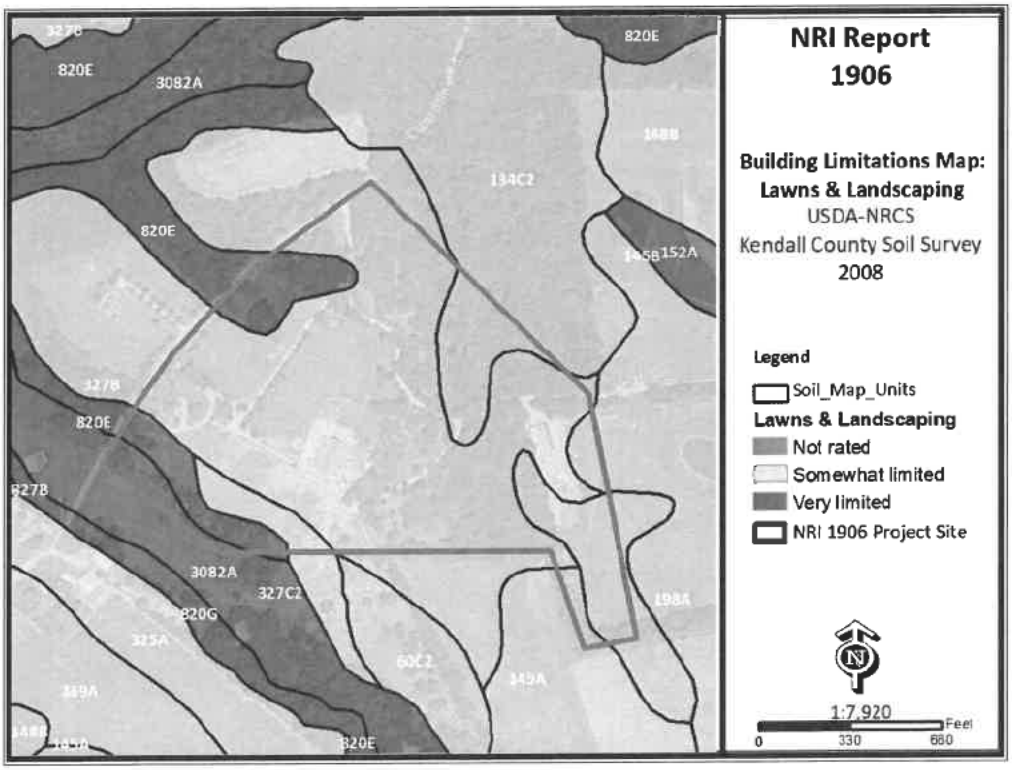


Figure 2e: Lawns & Landscaping



Kendall County Land Evaluation and Site Assessment (LESA):

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **LAND EVALUATION (LE)** – The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
- **SITE ASSESSMENT (SA)** – The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Table 4a: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
134C2	5	82	2.6	213.2
145A	2	94	0.4	37.6
145B	2	94	0.6	56.4
198A	1	100	2.8	280.0
327B	4	79	26.4	2085.6
327C2	4	79	1.3	102.7
820E	7	47	3.7	173.9
3082A	4	79	0.5	39.5
Totals			**38.3**	**2988.9**
LE Score		**LE= 2988.9/38.3**		**LE = 78**

The Land Evaluation score for this site is **78**, indicating that this site is not predominately prime farmland well suited for agricultural production.

Table 4b: Site Assessment Computation

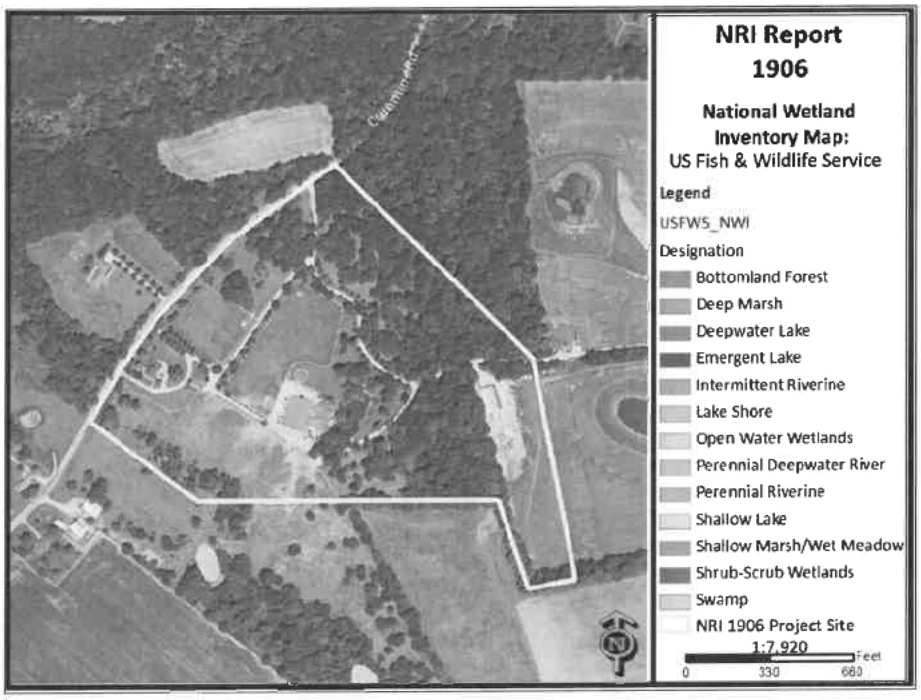
A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current use adjacent to site. (30-20-15-10-0)	20
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	10
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	10
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	10
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	0
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	10
	2. Availability of public water system. (10-8-6-0)	10
	3. Transportation systems. (15-7-0)	7
	4. Distance from fire protection service. (10-8-6-2-0)	6
	Site Assessment Score:	**103**

Land Evaluation Value: 78 + Site Assessment Value: 103 = LESA Score: 181

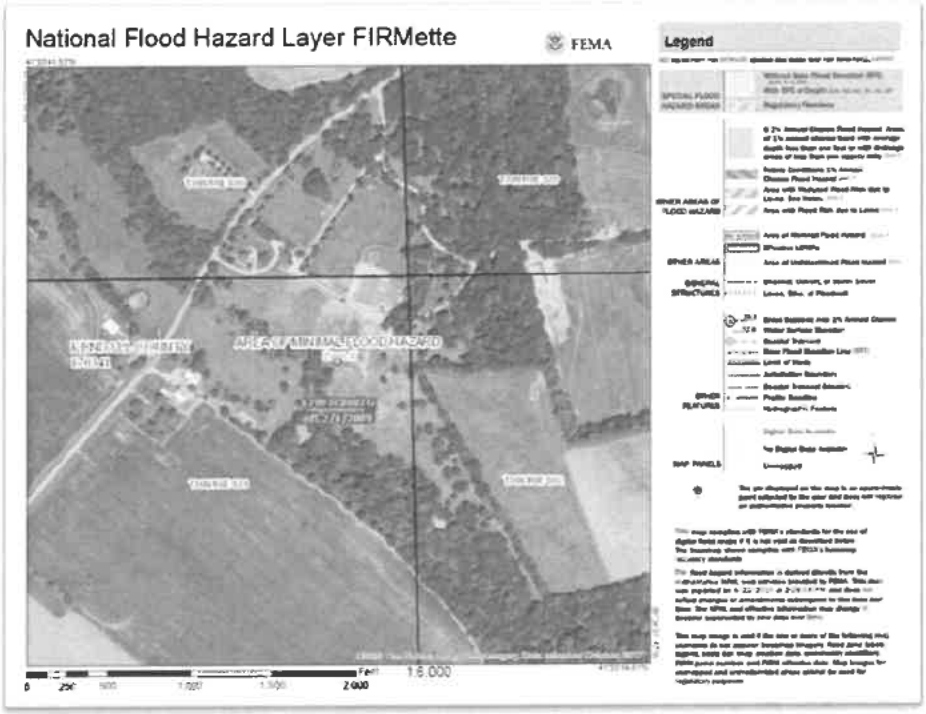
LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

The **LESA Score for this site is 181 which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County.

Wetlands: The U.S. Fish & Wildlife Service's National Wetland Inventory map **does not indicate** the potential presence of a wetland on the project site. If a wetland is present and will be impacted by the project, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.



Floodplain: The parcel is not located within the floodplain.



Sediment and Erosion Control: Development on this site should include an erosion and sediment control plan in accordance with local, state and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (http://www.aiswcd.org/illinois-urban-manual/) for appropriate best management practices.

LAND USE OPINION:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Robert Bright at the request of their contact JoAnn Bright-Theis for the proposed A-1 Special Use petition project. This parcel is located in portions of Sections 29, 30, 31 & 32 in Fox Township (T.36N.-R.6E. of the 3rd Principal Meridian) in Kendall County. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board has the following opinions and recommendations.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. A land evaluation, which is a part of the Land Evaluation and Site Assessment (LESA) was conducted on this parcel. The soils on this parcel scored an 78 out of a possible 100 points indicating the soils found on the project site are not predominately prime farmland well suited for agricultural production. The overall LESA Score for this site is 181 which indicates a low level of protection for the proposed project site. Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production and is an important resource to Kendall County; of the eight soil types identified onsite, six are designated as prime farmland, one is designated as farmland of statewide importance and one is not indicated as either. A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile; one soil type found onsite, 3082A Millington silt loam is designated as a hydric soil and one soil type, 198A Elburn silt loam has the potential to have hydric inclusions.

For proposed land uses, soils can have potential limitations. This report indicates, if the following uses were to be included as part of future site development or expansion, that for soils located on the parcel, 83.3% are unsuitable for onsite conventional septic systems80.1% of the soils are very limited for shallow excavations, 78.8% are very limited for onsite conventional septic systems, 18.3% are very limited for dwellings with basements and shallow excavations, and 11% are very limited for dwellings without basements, small commercial building and lawns/landscaping. This information is based on the soil in an undisturbed state and does not replace the need for site specific soil testing. Some soil reclamation, special design, or maintenance may be required to obtain suitable soil conditions to support development with significant limitations. Additionally, since the scope of the project includes the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Fox River Watershed and Clear Creek subwatershed.

This development should include a soil erosion sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution. Eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense project uses it may be necessary to have a drainage tile survey completed on the parcel to locate any subsurface drainage tile if suspected onsite. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]
Chair

04/08/19
Date

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Robert Bright
Contact: JoAnn Bright-Theis
Address: 10978 Crimmin Rd
Newark , IL 60541

IDNR Project Number: 2114879
Date: 06/16/2021

Project: Major Amendment to Existing Special Use Permit
Address: 10978 Crimmins Rd. , Newark

Description: Applicant is seeking an expansion of the allowed number of events and operating days

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site
Millington Railroad Fen Natural Heritage Landmark
Tucker-Millington Fen Nature Preserve
River Redhorse *(Moxostoma carinatum)*

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
36N, 6E, 30
36N, 6E, 31
36N, 6E, 32



IL Department of Natural Resources Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Board
Matt Asselmeier
111 W. Fox St.
Yorkville IL, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

IDNR Project Number: 2114879

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

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Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

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IDNR Project Number: 2114879

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

EcoCAT Receipt

Project Code 2114879

APPLICANT	DATE
Robert Bright JoAnn Bright-Theis [redacted]	6/16/2021

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	$ 125.00	$ 2.81	$ 127.81

TOTAL PAID $ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

Please fill out the following findings of fact to the best of your capabilities. §13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals shall consider in rendering a decision, but is not required to make an affirmative finding on all items in order to grant a **special use**. They are as follows:

That the establishment, maintenance, and operation of the special use will not be detrimental to, or endanger, the public health, safety, morals, comfort, or general welfare. the amendment to the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare

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

The amendment to the special use will not be substantially injurious to the use of other properties in the immediate vicinity. All provisions provided in the original special use ordinance shall continue in full force and effect to ensure that the use does not adversely impact adjacent uses and is compatible with the sorrounding area

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided.

All necessary utiltiies, roads, drainage, and necessary facilities have previously been provided

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 amendment to the special use conforms to the applicable regulations for an Agricultural 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 amendment to the special use is consistent with the purpose and objectives of the Land Resource Management Plan

Search EcoCAT Consultations

Clear Selections

Search by County-TRS

Search by City

Project Number	Project Name	Date Received	Applicant	Jurisdiction	File Status	Results	Measures Adopted	City *	County	TRS **
2114879	Major Amendment to Existing Special Use Permit	6/16/2021	Robert Bright	Kendall County Board	Closed	Consultation Termination Terminated Closed		Newark	Kendall	36N6E30 36N6E31 36N6E32

*** Information in the city field was entered by applicants and has not been proofed or validated by IDNR. The existence of mis-spelled city names may reduce the number of projects found when you search by city.**

**** Sorting by this field may list repeats for projects that fall into more than one TRS.**

State of Illinois
County of Kendall

Zoning Petition
#19-12

ORDINANCE NUMBER 2019-23

GRANTING A SPECIAL USE PERMIT ON PROPERTY ZONED A-1 AGRICULTURAL FOR A BANQUET FACILITY ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 7.01.D.10 of the Kendall County Zoning Ordinance permits the operation of banquet facilities as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-32-100-006, and 04-32-100-008) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about March 19, 2019, Petitioner filed a petition for a special use permit allowing the operation of a banquet facility at the subject property; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on June 6, 2019, the Kendall County Zoning Board of Appeals conducted a public hearing on July 1, 2019, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner and their representative presented evidence, testimony, and exhibits in support of the requested special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and two members of the public expressed concerns regarding the petition; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 1, 2019, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested special use permit with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall

WHEREAS, this special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for a special use permit allowing the operation of a banquet facility on the subject property subject to the following conditions:

   A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.

   B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

   C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

   D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.

   E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

   F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

   G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

   H. The noise regulations are as follows:

      Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

      Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

      EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

K. A new certificate of occupancy must be issued for the barn.

L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 27th day of August, 2019.

Attest:

Debbie Gillette
Kendall County Clerk
Debbie Gillette

Scott R. Gryder
Kendall County Board Chairman
Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of 88°55'20" with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of 136°30'40" with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of 105°18'51" with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of 136°53'45" with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of 148°16'44" with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of 89°59'40" with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of 95°37'45" with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of 107°48'12" with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

FINDINGS OF FACT

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with an approved site plan, landscaping plan, and lighting plan. Proper buffering and noise controls will be necessary to prevent noise from negatively impacting neighboring properties. The Kendall County Sheriff's Department has not submitted comments expressing concerns for public health and safety, based on the information provided by the Petitioners.**

Member Clementi dissented with the above Finding and stated that the proposed special use permit would be detrimental and will endanger the public health.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by restrictions related to hours and days of operation, and buffering within the ordinance granting the special use permit.**

Chairman Mohr and Member Clementi dissented with the above Finding.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, the Petitioner's site plan addresses utilities, drainage, and points of ingress and egress.**

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 site conforms to the regulations of the A-1 Agricultural 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. **True, the proposed use in consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."**

Recommendation

The Kendall County Zoning Board of Appeals recommends approval of the requested special use permit with the conditions:

A. The site shall be developed substantially in accordance with the attached Site Plan, Landscaping Plan, and Parking Illumination Plan.

B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

D. The subject parcel must maintain a minimum of five (5) acres.

E. The use of this property shall be in compliance with all applicable ordinances. The banquet facility shall conform to the regulations of the Kendall County Health Department and the Kendall County Liquor Control Ordinance. (Ord. 99-34)

F. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

G. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

H. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

I. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

J. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, barn doors shall close by 7:00 p.m.

K. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

L. A new certificate of occupancy must be issued for the barn.

M. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

N. No patron or other entity associated with the business allowed by this special use permit shall

be allowed to park on Crimmin Road.

O. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

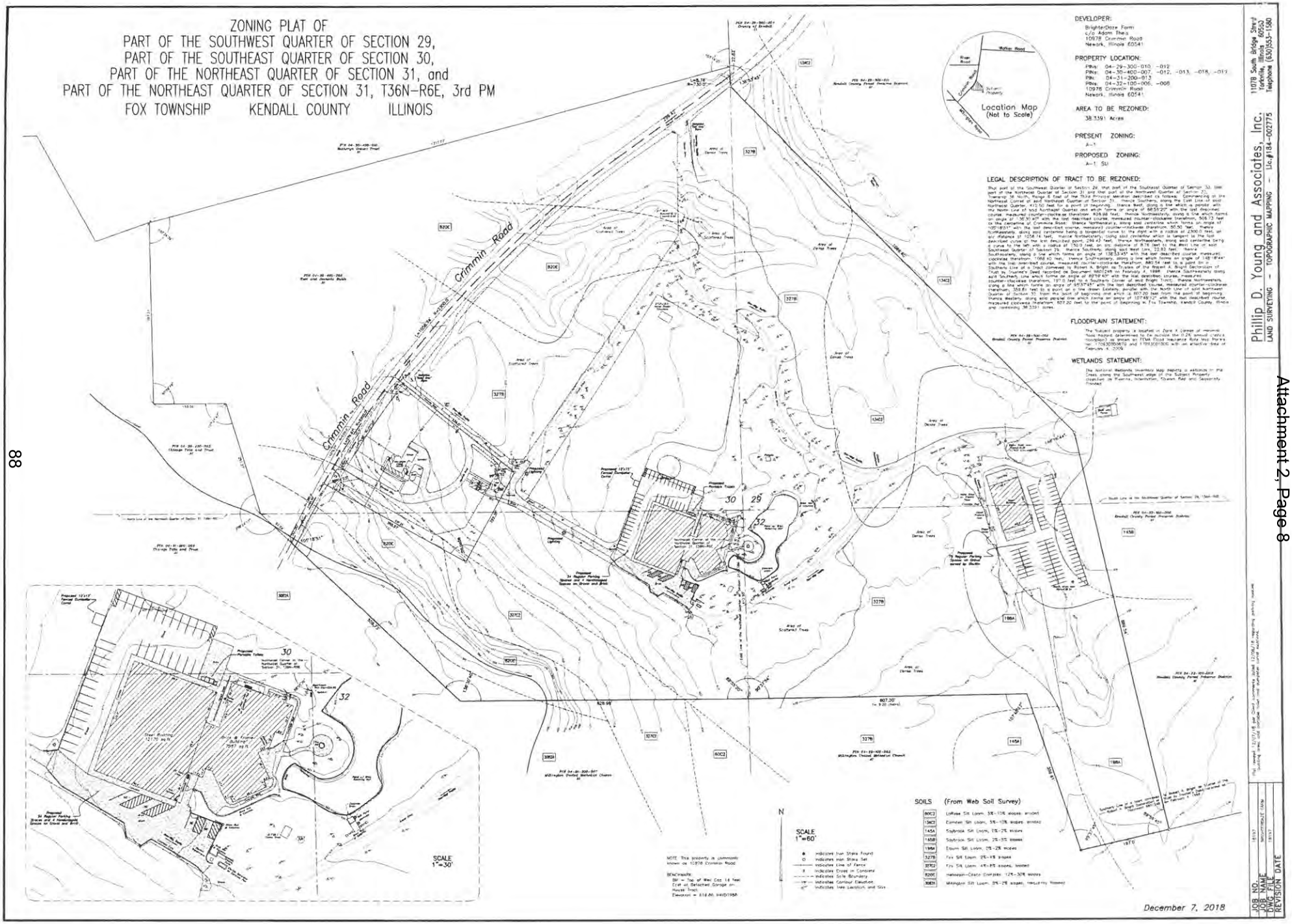
P. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

Q. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

R. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The Kendall County Zoning Board of Appeals issues this recommendation by a vote of four (4) in favor, one (1) opposed, and two (2) absent.

July 1, 2019


ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHEAST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS
DEVELOPER:
BrighterDaze Farm
c/o Adam Theis
10978 Crimmin Road
Newark, Illinois 60541
PROPERTY LOCATION:
PINs: 04-29-300-010, -012
PINs: 04-30-400-007, -012, -013, -018, -019
PIN: 04-31-200-013
PINs: 04-32-100-006, -008
10978 Crimmin Road
Newark, Illinois 60541
Location Map
(Not to Scale)
AREA TO BE REZONED:
38.3391 Acres
PRESENT ZONING:
A-1
PROPOSED ZONING:
A-1 SU
LEGAL DESCRIPTION OF TRACT TO BE REZONED:
FLOODPLAIN STATEMENT:
WETLANDS STATEMENT:
Crimmin Road
Crimmin Road
SOILS (From Web Soil Survey)
SCALE
1"=60'
SCALE
1"=30'
NOTE: This property is commonly known as 10978 Crimmin Road
BENCHMARK:
December 7, 2018
Phillip D. Young and Associates, Inc.
11078 South Bridge Street
Fairfield, Illinois 62837
Telephone (630)553-1560
LAND SURVEYING - TOPOGRAPHIC MAPPING - Lic.#184-002775
JOB NO.
JOB NAME
DWG FILE
REVISION DATE



B Main Entrance Drive



C Middle Drive



D Main Drive

ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29,
PART OF THE SOUTHEAST QUARTER OF SECTION 30,
PART OF THE NORTHEAST QUARTER OF SECTION 31, and
PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N-R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



A Main Entrance

Notes:
1) (166)Trees Ranging from 3" – 36"



E NE View

Brighter Daze Farm Landscaping Plan
SCALE: Not to Scale

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184-002775

Location Map
(Not to Scale)

DEVELOPER:
PROPERTY LOCATION:
AREA TO BE REZONED:
PRESENT ZONING:
PROPOSED ZONING:
LEGAL DESCRIPTION OF TRACT TO BE REZONED:
FLOODPLAIN STATEMENT:
WETLANDS STATEMENT:

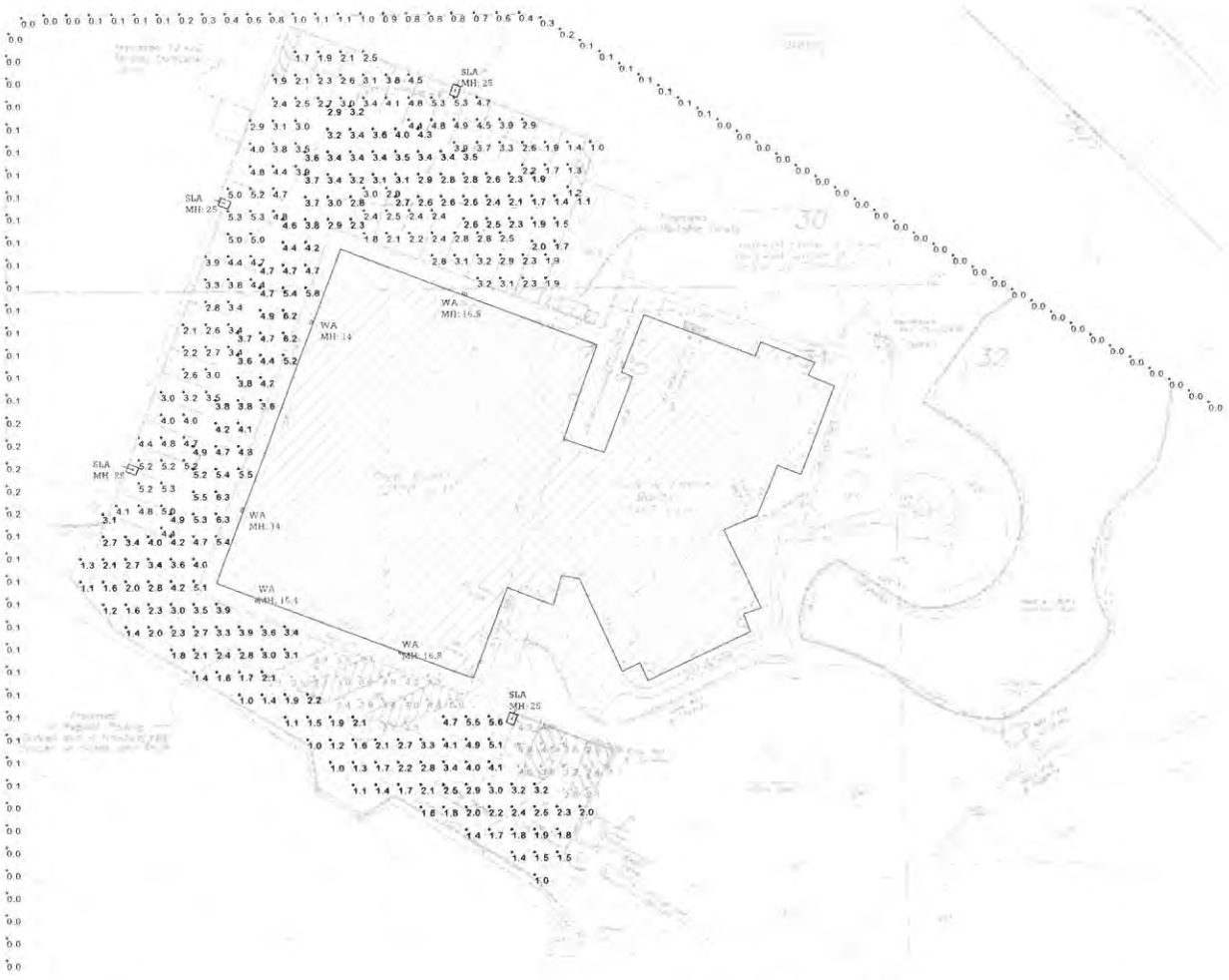
SCALE 1"=60'
SCALE 1"=30'

SOILS (From Web Soil Survey)

December 7, 2018

BrighterDaze Farm
Landscaping Plan
10978 Cimmins Rd • Newark, IL 60541

DRAWN BY: ABS
CHECKED BY:
PROJECT MANAGER:
DATE ISSUED/ SCALE: 03/19/19 N/A
SHEET NUMBER: 1.0



Luminaire Data							
Label	Qty	Symbol	Manufacture	Description	Lum. Lumens	LLF	Lum. Watts
SLA	4		PHILIPS GARDCO	ECF-S-64L-1A-NW-G2-3	23936	0.850	205.9
WA	5		PHILIPS STONCO	LPW32-7	6910	0.850	70.5

Calculation Values							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Handicap Spaces (Orange)	Illuminance	Fc	3.32	5.0	1.5	2.21	3.33
Parking Spaces (Blue)	Illuminance	Fc	3.40	5.3	1.0	3.40	5.30
Property Line (Green)	Illuminance	Fc	0.17	1.1	0.0	N.A.	N.A.
Traffic Lanes (Black)	Illuminance	Fc	3.07	6.3	1.0	3.07	6.30
All Hardscape	Illuminance	Fc	3.24	6	1	3.24	6.00

NOTES:
1. The calculated results of this lighting simulation represent a prediction of system performance and are not guaranteed.
2. Actual measured results may vary from the anticipated performance and are subject to means and conditions which are beyond the control of DB Lighting Consultation.
3. Illumination values shown (in foot-candles) are horizontal at grade level based on Mounting Height marked MH=??
4. Calculation points are on an 8' x 8' spacing

Scale: 1 inch= 20 Ft.

DB Lighting Consultation (DBLC) assumes no responsibility for any errors in the IES files, background images, or other information provided to DBLC to be used in these calculations.
Actual or measured results may vary due to manufacturer tolerances, component malfunctions, obstructions, varying surface reflectance's and other field conditions.
The owner assumes all responsibility for compliance with federal, state and/or local codes and regulations.

Prepared For:
Brittany Willer

Prepared by:
DB Lighting Consultation
407-924-4113

Chicago Lightworks
505 Warrenville Rd.
Suite 101
Lisle, IL 60532

Rev	Date	Comments

Revisions

Project Name:
BrighterDaze Farms Parking

Project ID Number: 2019-151

Date: 03/14/2019

24" x 36"
Page 1 of 1

Attachment 3



June 22, 2021

Kendall County Address Points

Kendall County Forest Preserves

Parcels

Ownership Parcel

1:5,760

0 0.04 0.07 0.14 mi

0 0.05 0.1 0.2 km

Map data © OpenStreetMap contributors, Microsoft, Esri Community Maps contributors, Map layer by Esri

Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

Fox Township Planning Commission

Special Meeting Minutes

July 6, 2021

Fox Township Planning Commission was called to order by Meeting Facilitator Chair Stephen Knutson at 7:00 P.M. Committees present were Vice Chair Gayle Roberts, and Members Jeff Christensen, John Jurca, and Terry Luxmore. Also Present Boyd Ingemunson Lawyer Repesting the Bright Family.

Call to order was opened by Knutson.

Knutson open the meeting by having Ingemunson giving a presentation about the Amendments that the Brights are requesting to be changed. Currently the Event Space is only allowed 30 events per year. The Following is info on the current Events both past and present requested by the committee.

- There were 8 Weddings for 2020
- There has been 6 Weddings already for 2021 and 18 More are Booked for the Rest of the Current year.
- Standard Wedding ends at 10 P.M. If this Amendment is passed the Bright family said they would charge an additional $2000 to their customers to extend the party past 10 P.M.
- The Bright family said their goal was to have 60 events as their goal using both the bigger and smaller space.
- 12-15 Events were lost in revenue due to their current restrictions.

Knutson then opened the floor to the neighbors.

Neighbor John opened by saying he was concerned about the Noise. The Barn doors are not being closed. The music in increasingly becoming louder. The is concerned about is property value in that the reason they moved out to the country was for the quiet. He also is concerned that if the amendment is approved in this short amount of time that they will request more again soon and ask when does it stop.

Neighbors Kurt and Jeanette are also concerned. Their comments were the current rules are not being followed. They said that the barn doors are never shut. The music can be heard inside their house. They are concerned about having events during the week because of this. Police were called and the Police informed them that there is nothing they can do but inform the Zoning Committee. They also commented that the current hours are not being enforced and that they were already going 1 to 2 hours after the current time. They were also concerned with safety because many cars are getting lost and turning around in their driveway.

The comments from the Planning Commission were as followed.

They want to double check to see what the current rules are for the other Venues in Fox Township.

They wanted to know if we could specify maybe having the smaller venue with 40 people or less allowed during the week and the larger one on the Weekend nights.

They would also still want to put a limit of events allowed per year.

The extend hours were also questioned on when the cut off our is given then how long after that are they allowed to be open for cleanup. Also, could there be earlier hours for weekdays or later for weekends.

There was also question on how the ordinance are going to be self-enforced.

Ingemunson commented afterward that the family is willing to change and admen some of the Petition in order to help with the decision. He would make some changes and forward them to us.

Meeting adjourned at 9:19 P.M.

Respectfully Submitted.

Rachel Toftoy

Fox Township Clerk

The next Fox Township Planning me is scheduled for Tuesday August 17th at 7:00 P.M.

The Kendall County Zoning Board meeting is at the Assessors Office in Yorkville on August 2nd.

Attachment 5

Fox Township Board Meeting

July 12, 2021

Fox Township Board was called to order by Township Supervisor Randy Seggebruch at 7:00 P.M. Seggebruch led the Pledge of Allegiance. Trustee's present were Supervisor Seggebruch, Township Clerk Rachel Toftoy, and Township Trustees Tim Hoots, Sarah Spang, Bruce Monkemeyer, Jennifer Henze. Also, present was Township Road Commissioner Brad Mathre, and Fox Township Assessor Richard Whitefield. A quorum was established.

Motion to approve the agenda for the July12, 2021, motion was made Monkemeyer and was seconded by Spang. Motion Carried.

Motion for approve the minutes from the June14, 2021, motion was made by Henze, and was seconded by Hoots. Motion Carried.

Motion to approve the minutes for the June 28, 2021 Special Meeting, motion was made by Henze, and was seconded by Spang. Motion Carried.

Deputy Briars from The Kendall County Sheriff's Department reported they are having a National Night Out on 8/3/2021 from 6-9pm in Yorkville, IL.

Public Comments followed. Jackie Kowalski from the Village of Millbrook introduced herself. Boyd Ingemunson the Lawyer representing Brighter Days, introduced himself and incourgaged the Board to ask him questions regarding the new changes.

Board Comments followed. The Board Concerns were for the Brighter Days Changes were as followed.

Are the Current Rules Being Followed?

Likes that the speakers and being pointed downward.

They were concerned with the extended times requested.

They were concerned with the Number of Days they would have Guest in the Larger Building, but no concerns with more days available for guest in the Smaller Building.

They were concerned that they keep the noise the level previously approved.

They also were concerned about the traffic of guest getting lost and turning around in neighbor's driveways. Ingemunson says that Brighter Days is working on clear signage to help with this.

A motion to approve payment of all bills presented by Hoots and Seconded by Monkemeyer. Roll Call- Spang YES, Henze YES, and Seggebruch YES, Motion Passed.

The next meeting of The Fox Township Board will be held August 9, 2021, at 7:00 P.M.

A motion to adjourn the meeting was made by Hoots and seconded by Spang.

Meeting adjourned at 7:43 P.M.

Respectfully Submitted.

Rachel Toftoy

Fox Township Clerk

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
July 6, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Sgt. Scott Moran – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Meagan Briganti – GIS
Greg Chismark – WBK Engineering, LLC
Fran Klaas – Highway Department
David Guritz – Forest Preserve

Audience:
Boyd Ingemunson and JoAnn Bright-Theis

PETITIONS

Petition 21-26 Robert Bright on Behalf of Castle Bank NA and JoAnn Bright-Theis
Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site
Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve
River Redhorse (Moxostoma carinatum)

EcoCat related materials were provided.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided

Fox Township was emailed information on June 24, 2021.

Newark Fire Protection District was emailed information on June 24, 2021.

The Village of Newark was emailed information on June 24, 2021.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.

B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.

E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

H. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility

would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

K. A new certificate of occupancy must be issued for the barn.

L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners are requesting the following changes to the special use permit (changes marked in red):

C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance ~~**at a banquet center related event may be on the subject property at a given time.**~~ **within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.**

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~**For events with music, the north and south barn doors shall close by 7:00 p.m.**~~

J. ~~**Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).**~~ **Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.**

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan, landscaping plan, or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, and J, the Petitioners do not propose any other changes to the requirements of the special use permit.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processionals and recessionals at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building.

With the combination of distance and plantings, the Petitioners believe noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The proposed 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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress.

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 site conforms to the regulations of the A-1 Agricultural 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. True, the proposed use in consistent with an objective found on Page 3-6

of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on Attachment 1, Page 5.
2. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:

   C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
3. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:

   I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings.
4. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:

   J. Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
5. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.
7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Mr. Rybski noted that the Petitioners were working with the Kendall County Health Department to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. Mr. Rybski requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. Mr. Ingemunson did not object to the condition be added to the list of conditions.

Mr. Gengler asked if the Petitioners wanted to have live music events at the property. Boyd Ingemunson, Attorney for the Petitioners, responded that live music events occur ancillary to banquet center events. The Petitioners have no intention of having stand-alone live music events. Live music events could occur inside the building.

Mr. Ingemunson noted that the Petitioners wanted to have events year-round at the property.

Mr. Rybski noted that the well qualified as a non-community well and must follow the rules of that program.

Mr. Rybski made a motion, seconded by Ms. Olson, to recommend approval of the proposal.

The votes were as follows:

Yeas (6): Asselmeier, Gengler, Holdiman, Moran, Olson, and Rybski
Nays (0): None
Abstain (0): None
Absent (4): Briganti, Chismark, Guritz, Klaas

The motion carried.

The proposal goes to the Kendall County Regional Planning Commission on July 28, 2021.

PUBLIC COMMENT

None

ADJOURNMENT

Mr. Holdiman made a motion, seconded by Mr. Rybski, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The ZPAC, at 9:18 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Matt Asselmeier

From: Aaron Rybski
Sent: Monday, July 12, 2021 10:34 AM
To: Matt Asselmeier
Subject: Petition 21-26 Brighter Daze

Hello,

I am passing along word that a permit to repair the septic system for Brighter Daze has been secured. As such, they have met the condition that we were putting in as part of their approval/recommendation from ZPAC. They are settling in on a contractor and they likely will be completing the repair in the coming weeks.

If you have any questions, please let me know.

A.R.

Proposed Amendments to Special Use
Brighter Daze Banquet Facility
1097 Crimmins Road, Newark, Illinois
Fox Township Plan Commission
Report

July l2, 2012

The Fox Township Plan Commission met in Millbrook to review the Bright family request for their Special Use Amendment. This is a report from that meeting, prepared for the Fox Township Board of Trustees.

A Special Use Permit for a Banquet Facility at this property was granted August 27, 2019.

1. Petitioners ask to create a new indoor SPACE B for year around use. Maximum number of guests will be 60.

> Plan Commission recommends approval of indoor facility request. SPACE B may be used on weekends and week days. There shall be no limit on the number of events per year in the small indoor space. Existing Special Use Ordinance limits the number of events on the property to one event per day.

2. Petitioners ask that the two pair of large barn doors be allowed to be open during large events (280 guests) after 7:00 pm. When large doors are closed there are two smaller doors that may remain open. The point of closing the barn doors is to reduce the sound of music.
Neighbors present at the meeting, report noncompliance of door closing at prior events.

> Plan Commission recommends that large barn doors be closed at 7:00 pm on large event nights.

3. Petitioners ask that event conclusion time be changed from 10:00 pm to midnight.
Neighbors present at the meeting, report noncompliance of prior closing time.

> Plan Commission recommends that week night events of only 60 guests be concluded by 10:00 pm, and that all guest leave the property before 11:00pm. (The Plan Commission understands conclusion means the bar is closed and the music stops.)

Plan Commission recommends that large weekend events be concluded by 11:00 pm, and that guests leave the property before midnight. (Weekends include holidays and the evening before a holiday.)

4. Petitioners ask that limit of one large event per weekend be changed to permit two large events per weekend. Petitioners ask to increase number of large events.

Plan Commission recommends that large events (280 guests) remain limited to one per weekend. Existing Special Use Permit limits season for large events from April 1 to November 1. There are 30 weekends during this season.

5. Plan Commission, and neighbors present at the meeting, had questions about Special Use Ordinance enforcement. The single time one of the neighbors had called the Sheriff, the event in question was over before the Sheriff arrived.

Matt Asselmeier, Kendall County Planner, was present at the meeting and reviewed Special Use Ordinance enforcement. The first step is to call the Sherriff, who makes a report to the County. Non compliance may result in Citations. Repeated violations over a period of time could cause the Special Use Permit to be revoked by the County Board. Of the 238 Special Use Permits issued in recent history, only two Permits have been revoked.

6. Plan Commission Chairman, Steve Knutson, acknowledges that the Petitioners desire to maximize the economic return on their property, and the neighbors concern about property values are in conflict. A banquet facility is a permitted Special Use within Agriculture zoning. Adjoining neighbors expect to enjoy the rural quality of their property. The petitioners want to grow their business. Compromise is never comfortable.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of July 28, 2021 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:00 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Karin McCarthy-Lange, Larry Nelson, Ruben Rodriguez, Bob Stewart, Claire Wilson, and Seth Wormley
Members Absent: Tom Casey and Dave Hamman
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Boyd Ingemunson, JoAnn Bright-Theis, Adam Theis, Steve Knutson, Kurt Buhle, Jeanette Buhle, John Vogt, and Robert Bright

PETITIONS
Petition 21-26 Robert Bright on Behalf of the Madison Trust and Castle Bank N A and Jo-Ann Bright-Theis
Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve

River Redhorse (Moxostoma carinatum)

EcoCat related materials were provided, including notice of consultation termination.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided.

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of divided the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting were provided.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting were provided.

Newark Fire Protection District was emailed information on June 24, 2021.

The Village of Newark was emailed information on June 24, 2021.

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have

occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting and an email stating that the Petitioners applied for septic permit was provided.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.

B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.

E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

H. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays,

Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

K. A new certificate of occupancy must be issued for the barn.

L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners were requesting the following changes to the special use permit (changes marked in red):

C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance ~~**at a banquet center related event may be on the subject property at a given time.**~~ **within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.**

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~**For events with music, the north and south barn doors shall close by 7:00 p.m.**~~

J. ~~**Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by**~~

~~**appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).**~~ **Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.**

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan, landscaping plan, or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, and J, the Petitioners do not propose any other changes to the requirements of the special use permit.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue.

All music and noise shall originate inside the venue except for processionals and recessionals at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners will also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings and control of the sound system, the Petitioners believed noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The proposed 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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress.

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 site conforms to the regulations of the A-1 Agricultural 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. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown in the application materials.
2. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:

   C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
3. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings.

4. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:

   J. Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

5. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.

6. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

7. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Boyd Ingemunson, Attorney for the Petitioners, explained the history of the business. He explained the table comparing the conditions on the Petitioners' special use permit with the special use permit for other banquet facilities. He stated that the restrictions regarding the number of events, event end time, and season of event were unique to the Petitioners' special use permit. He noted that no violations have occurred and the sound level was constantly monitored. The speakers were in the ceiling and pointed downward.

Member Rodriguez stated that he visited the subject property. He was very impressed by the venue. He said that the Petitioners turned on the music at a high level and they took a sound reading at the street. Noise from passing vehicles was louder than the sound from the sound system. He encouraged all Commissioners to visit the property. He also noted the breeze inside the building with the open barn doors.

Member Wilson asked if the spaces were air conditioned. Mr. Ingemunson responded that Event Space B is basically a large living room and Event Space A is basically a barn.

Member Wilson asked about the use of the space not included in either event space. Mr. Ingemunson responded that is a private living area.

Member Wilson expressed concerns about noise if events last until Midnight.

Member Wilson asked about fire suppression. Mr. Ingemunson responded that the Petitioners have complied with applicable fire codes. Member Wilson asked about the number exits. Mr. Ingemunson responded that, in addition to the barn doors, there were exit doors adjacent to the barn doors. Adam Theis said there were three (3) separate entrances.

Mr. Theis clarified that the Petitioners were changing the proposal to have events end at 11:00 p.m. and patrons given one (1) hour to vacate the property.

Member Wilson asked if any other noise suppression systems exist beside the control of the speakers. Mr. Theis stated that the barn was insulated and there were several walls. The property also has several trees and a berm.

Member Nelson asked if any speakers were located outside the barn. Mr. Ingemunson said no amplified music would originate outside the building.

Member Wilson asked if events were catered. Mr. Ingemunson responded that events were catered.

Steve Knutson, Chairman of the Fox Township Planning Commission, stated that the Commission did not agree with all of the amendments. He noted that the existing special use permit has not been in existence for a long period of time. He expressed concerns regarding potential violations of the existing special use permit. Ending events at 11:00 p.m. compared to Midnight would be favorable.

Kurt Buhle stated he moved to the area for the peace and quiet and it is not quiet during the events. He was concerned about the impact of the proposal on land value because of the increase in noise and traffic. He was also concerned that future amendments would be proposed. He has not witnessed the north barn doors closed. The Petitioners have had events after closing season. Several events have gone after 11:00 p.m. He has a called the Sheriff one (1) time because of excessive noise. No noise reading occurred when he called the Sheriff because the event had ended. Member Wilson encouraged Mr. Buhle to obtain decibel readings. Mr. Buhle purchased his property in 2012.

John Vogt expressed concerns about noise. He noted traffic usually comes and goes to the north. He would be agreeable to having the south barn doors open. He said events have lasted until 11:00 p.m. He has lived in the area for forty (40) years. He moved here for the peace and quiet and that is not the case. He also believed that his property values have been negatively impacted unless someone with a companion business wanted to purchase his property.

Jeanette Buhle asked Member Rodriguez if the barn windows were open during his visit. Member Rodriguez responded yes. Discussion occurred about the type of the new sound system. Ms. Buhle said they previously heard the noise from the property inside their house. She also noted the small number of trees blocking the barn. She would like to have the conditions in the special use followed and they will call the Sheriff in the future every time there is a violation.

Mr. Ingemunson stated that the Petitioners were going to install additional pine trees. Neither barn door is aimed at the Buhle property.

Robert Bright invited everyone, including his neighbors, to tour the property. Installing the sound system was on the priority list.

Discussion occurred regarding the existing approved landscaping plan. Member Nelson suggested planting evergreens, like a whispering pine or Colorado blue spruce. Mr. Theis was agreeable to adding more trees to the landscaping plan. Member Rodriguez noted that a large number of large trees were located on the property. JoAnn Bright-Theis was agreeable to adding evergreens. Member Nelson discussed the impact of banquet facilities on ambient noise as measured with a decimeter. Member Wilson suggested installing a sound barrier fence in addition to the evergreens.

Member Wormley expressed his support for the proposal and the planting of additional trees. He was concerned about having the barn doors closed on hot days because of the collection of heat.

Mr. Knutson reiterated the short history of the operation of this business. He was concerned about non-compliance with the existing regulations.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the Petition with the requirement that the Petitioners submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting.

Member Wilson made a motion to amend the previous motion to require the installation of a fence as a sound barrier in addition to the evergreens. The motion died for lack of a second.

The votes on the original, un-amended motion were as follows:
Ayes (8): Ashton, Bledsoe, McCarthy-Lange, Nelson, Rodriguez, Stewart, Wilson, and Wormley
Nays (0): None
Absent (2): Casey and Hamman
Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on August 2, 2021.

ADJOURNMENT
Member Rodriguez made a motion, seconded by Member Wilson, to adjourn. With a voice of eight (8) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 8:10 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
JULY 28, 2021

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)
Boyd Ingemunson		
STEVE KNUTSON		
KURT BUEHLE		

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
August 2, 2021 – 7:00 p.m.

CALL TO ORDER
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:04 p.m.

ROLL CALL:
Members Present: Karen Clementi, Cliff Fox, Randy Mohr, and Dick Thompson
Members Absent: Scott Cherry, Tom LeCuyer, and Dick Whitfield
Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner
Others Present: Adam Theis, JoAnn Bright-Theis, Steve Knutson, Kurt Buhle, and Scott Gengler

Chairman Mohr swore in Adam Theis, JoAnn Bright-Theis, Steve Knutson, and Kurt Buhle.

PETITIONS
The Zoning Board of Appeals started their review of Petition 21-26 at 7:09 p.m.

Petition 21 – 26 – Robert Bright on Behalf of the Madison Trust and Castle Bank N A and JoAnn Bright-Theis

Request:	Major Amendments to the Special Use Permit for a Banquet Facility Granted by Ordinance 2019-23 by Dividing the Building Allowed to be a Banquet Facility into Separate Event Spaces, Setting the Maximum Capacities of the Event Spaces, Setting the Days of and Hours of Operation for the Event Spaces, and Removing the Requirement that the Barn Doors be Closed by 7:00 p.m. at Events with Music
PINs:	04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, and 04-32-100-008
Location:	10978 Crimmin Road, Newark, Fox Township
Purpose:	Petitioners Wish to Amend the Existing Special Use Permit; Property is Zoned A-1 with a Special Use Permit

Mr. Asselmeier summarized the request.

On August 27, 2019, the County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility at 10978 Crimmin Road. The special use permit included seventeen (17) conditions. The Petitioners would like to change their use of the approximately nineteen thousand seven hundred (19,700) square foot building to allow for smaller events and allow for events throughout the year.

The application materials and Ordinance 2019-23 were provided.

The property was approximately thirty-eight (38) acres in size.

Crimmin Road was a Major Collector Road and is also classified as a Scenic Route. There were no trails planned in the area.

A riverine wetland was located along the southwest edge of the subject property.

The adjacent land uses were agricultural, religious, and the Millington Forest Preserve.

The adjacent zoning districts were A-1.

The Future Land Use Map called for the area to be Rural Residential, Agricultural, and Forest Preserve.

The nearby zoning districts were A-1, A-1 SU, R-2, and R-3.

The special use permit to the west is for the operation of a fur-bearing animal farm.

Based on the aerial of the site, there are six (6) homes within a half mile of the subject property.

An aerial of the property was provided.

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Millington Fen INAI Site

Millington Railroad Fen Natural Landmark

Tucker-Millington Fen Natural Preserve

River Redhorse (Moxostoma carinatum)

EcoCat related materials were provided, including notice of consultation termination.

The LESA Score was 181 indicating a low level of protection. The NRI report was provided.

The Fox Township Planning Commission reviewed this Petition at their meetings on July 6, 2021, and July 21, 2021. The Fox Township Planning Commission recommended in favor of dividing the space and setting the maximum number of guests for Event Space A at two hundred eighty (280) and sixty (60) for Event Space B. They recommended against deleting the requirement that the barn doors close at 7:00 p.m. They recommended that weekday events conclude by 10:00 p.m. with guests allowed one (1) extra hour to vacate the property; weekend events concluded at 11:00 p.m. with allowed one (1) extra hour to vacate the property. They defined weekends as Fridays and Saturdays. They recommended keeping the maximum number of large events at thirty (30) per year and the small event space be available to rent on weekends on an unlimited basis. The above recommendations were approved unanimously of the three (3) Commissioners in attendance on July 21st. The Commission also recommended that the smaller event space be available to rent on weekdays on an unlimited basis by a vote of two (2) in favor

and one (1) in opposition; two (2) Commissioners were absent. The Commissioner that voted no felt that allowing an unlimited number of events at the property would transform the property from a primarily agricultural use to a primarily non-agricultural business use. The minutes of the July 6, 2021, meeting were provided. The summary of the July 21, 2021, meeting was provided.

The Fox Township Board reviewed this proposal at their meeting on July 12, 2021. The Township Board had concerns regarding whether or not the Petitioners were following the current restrictions, the direction of speakers, extending the hours of operation, extending the operating season, noise level, and traffic. The unapproved minutes of this meeting were provided.

Newark Fire Protection District was emailed information on June 24, 2021. No comments were provided.

The Village of Newark was emailed information on June 24, 2021. No comments were provided.

ZPAC reviewed this proposal at their meeting on July 6, 2021. The Health Department noted that the Petitioners were working with them to ensure that the septic system was sized appropriately. The septic system was severely undersized. There has not been a failure of the septic system. The septic system has been mapped and a design was proposed. The Health Department requested a condition in the special use permit stating that the Petitioners shall submit an application and secure a permit for the septic system renovation with the Kendall County Health Department before approval of the amendment by the County Board. A permit could be secured in one (1) or two (2) weeks. The Petitioners did not object to the condition be added to the list of conditions. The Health Department also noted that the well qualified as a non-community well and must follow the rules of that program. Discussion occurred regarding having live music events at the property. Live music events have occurred ancillary to other banquet center events and can occur inside the building. ZPAC recommended approval of the requested amendments by a vote of six (6) in favor and zero (0) in opposition; four (4) members were absent. The minutes of this meeting and an email stating that the Petitioners applied for septic permit was provided.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on July 28, 2021. The Petitioners agreed to change the end time of events from Midnight to 11:00 p.m. Guests would still have one (1) hour to leave the property. Steve Knutson, Fox Township Planning Commission Chairman, explained the Commission's opinion on the proposal. Kurt Buhle stated that he moved to the area for peace and quiet; the banquet facility was not a quiet operation. He stated that the north barn doors were currently not closed, events were occurring during the non-operating time of the year, and events were occurring after 10:00 p.m. John Vogt expressed concerns about noise and increase traffic. Robert Bright invited everyone, including his neighbors, onto the subject the property and that installing the sound system was on the priority list. Members Rodriguez and Wormley visited the subject property. Member Nelson suggested planting additional evergreen type trees in addition to the plantings required by the landscaping plan. The Petitioners were agreeable with this suggestion. Member Wilson suggested installing a fence in addition to the evergreens. The Kendall County Regional Planning Commission recommended approval of the Petition with the requirement that the Petitioners

submit a landscaping plan with evergreen type trees planted and a timeframe for planting the evergreens. The landscaping plan should be submitted prior to the Kendall County Planning, Building and Zoning Committee meeting. The vote was eight (8) in favor and zero (0) in opposition with two (2) members absent. Member Wilson made a motion to add the fencing requirement, but that motion died for lack of second. The minutes of the meeting were provided.

Ordinance 2019-23 placed the following restrictions on the special use permit for a banquet facility at the subject property:

A. The site shall be developed substantially in accordance with the Site Plan attached hereto as Exhibit C, Landscaping Plan attached hereto as Exhibit D, and Parking Illumination Plan attached hereto as Exhibit E.

B. Permanent restroom facilities shall be installed by 2021. When the permanent restroom facilities are installed, the portable bathrooms shown on the attached site plan shall be removed.

C. A maximum of two hundred eighty (280) guests in attendance at a banquet center related event may be on the subject property at a given time.

D. The subject parcel must follow the site plan configuration with the exception of the right-of-way dedication listed in condition L.

E. Off-street parking, lighting and landscaping shall be provided in accordance with the provisions of Section 11 of the Zoning Ordinance.

F. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance. The signage shall be developed in accordance to the attached site plan. Any signage provided will not be illuminated. The owners of the business allowed by this special use permit may install additional non-illuminated traffic directional signs not shown on the approved site plan within their property.

G. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.

H. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the

maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. For events with music, the north and south barn doors shall close by 7:00 p.m.

J. Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).

K. A new certificate of occupancy must be issued for the barn.

L. Within ninety (90) days of the approval of this special use permit ordinance, the owners of the subject property shall dedicate a strip of land along the entire western boundary of the property at a depth of forty-five feet (45') as measured from the centerline of Crimmin Road to Fox Township to be used as Crimmin Road right-of-way.

M. No patron or other entity associated with the business allowed by this special use permit shall be allowed to park on Crimmin Road.

N. The operator(s) of the banquet facility acknowledge and agree to follow Kendall County's Right to Farm Clause.

O. The operator(s) of the banquet facility allowed by this special use permit shall follow all applicable Federal, State, and Local laws including, but not limited to Fox Township's laws, related to the operation of this type of business.

P. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permit.

Q. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

As noted in the application materials, the Petitioners would like to divide the nearly nineteen thousand seven hundred (19,700) square foot building into Event Space A with nine thousand six hundred (9,600) square feet, Event Space B with two thousand nine hundred (2,900) square feet, and the remaining seven thousand two hundred forty-two (7,242) square feet as non-project space. The Petitioners would like to utilize Event Space B year-round for smaller events.

In order to accommodate this proposed change in business operations, the Petitioners were requesting the following changes to the special use permit (changes marked in red):

C. A maximum of two hundred eighty (280) guests **shall be allowed** in attendance ~~**at a**~~

~~banquet center related event may be on the subject property at a given time.~~ **within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.**

I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. ~~For events with music, the north and south barn doors shall close by 7:00 p.m.~~

J. ~~Events shall be held on weekends only and shall conclude by 10:00 p.m. Only one (1) event per weekend may occur. For the purposes of this special use permit, weekends shall be Fridays, Saturdays, Sundays, Mondays, and any Federal or State Holiday falling on a Thursday or Tuesday. Tours of the facility for prospective customers shall be by appointment and could occur outside the listed hours of operation. Setup for events would start at 9:00 a.m. on the day prior to the event and 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. The facility would close on November 1st and reopen April 1st. The number of events per year shall be capped at thirty (30).~~ **Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.**

The Petitioners provided a comparison of certain restrictions on banquet centers.

The Petitioners have no plans to change the site plan or parking illumination plan approved as part of Ordinance 2019-23. Also, other than Conditions C, I, J, and the landscaping plan to include more evergreen type trees, the Petitioners do not propose any other changes to the requirements of the special use permit.

An updated Occupancy Permit will be required reflecting the change of use.

The Petitioners were working with Environmental Health regarding the size of the septic system.

The property fronts Crimmin Road.

According to the site plan approved with Ordinance 2019-23, patrons will enter the property through the driveway north of the existing house. Traffic will drive southeast along the one (1) way driveway to the existing barn, a distance of approximately seven hundred feet (700'). There are thirty-four (34) parking spaces and four (4) additional handicapped accessible parking spaces by the barn. An additional seventy-five (75) parking spaces are located east of the barn and will be accessible via a gravel driveway; these parking spaces will be served by shuttle. Traffic will exit the property through a one (1) way driveway leading to the north end of the property.

Two (2) new lights were proposed for the site. According to the parking illumination plan approved with Ordinance 2019-23, no light will leave the property. All lights will be turned off within one (1) hour of the conclusion of events.

One entrance and one exit sign are shown on the site plan attached to Ordinance 2019-23. The signs will be approximately four hundred thirty-two (432) square inches. Neither sign will be illuminated.

As shown on the site plan attached to Ordinance 2019-23, the site contains approximately one hundred sixty-six (166) trees of varying heights encircling the venue. The Petitioners submitted a revised landscaping plan showing the planting of twelve (12) additional cedar trees that will be approximately twelve feet (12') in height at the time of planting. The planting of the cedar trees will occur in the fall of 2021.

All music and noise shall originate inside the venue except for processionals and recessionals at weddings. The facility shall follow the noise regulations for banquet facilities. Speakers will face inside the building and speakers on the ceiling will be pointed downward. The Petitioners will also require disc jockeys to plug into the venue's sound system so the Petitioners can control the noise level.

With the combination of distance, plantings and control of the sound system, the Petitioners believed noise will not be an issue.

Since the issuance of the special use permit in 2019, the Kendall County Sheriff's Department has responded to one (1) noise complaint at the property. The Sheriff's Department responded to the complaint, but the decibel level was not confirmed to be in violation of the special use permit.

The proposed 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. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress.

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 site conforms to the regulations of the A-1 Agricultural 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. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

Staff recommended approval of the requested major amendment to an existing special use permit subject to the following conditions and restrictions:

1. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown in the application materials.
2. The landscaping plan referenced in Condition 2.A is amended to include the amended landscaping provided at the Zoning Board of Appeals hearing.
3. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:

   C. A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests.
4. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:

   I. No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings.
5. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:

   J. Events in either event spaces shall conclude by 11:00 p.m. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.
6. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.
7. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

8. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

Chairman Mohr opened the public hearing at 7:21 p.m.

Adam Theis explained the requested changes. He noted the sound control changes and the landscaping changes. He stated that the property has not received any citations. He stated that the company has been managed successfully and can respond to the growth in the industry. He explained the division of the space and the reasons for the amendments.

Chairman Mohr stated that this was the only Petition that he received a phone call after approval in his ten (10) years on the Zoning Board. He stated that the barn doors were not being closed during events presently. He questioned if the Petitioners will follow new rules in the future, if they were not following the existing rules. Mr. Theis stated that they have always followed the noise regulations and, when the doors were open, they felt that it was a life safety issue. Member Clementi echoed Chairman Mohr's comments. Mr. Theis stated they would like the doors open to take advantage of the beauty of the property and the breeze from the south. Mr. Theis further stated that they have always followed the noise regulations; he noted the new investments in the sound system.

Member Clementi asked how many events have occurred at the property since the special use permit was issued. Mr. Theis responded thirty (30).

Member Clementi questioned noise mitigation practices. Mr. Theis noted the addition of vegetation on the berm.
Member Clementi asked about the hours of operation. Mr. Theis stated they followed the current regulations.

Mr. Asselmeier asked when the trees would be installed. JoAnn Bright-Theis felt that November 30th would be ideal in order to save the most money when buying trees.

Steve Knutson, Fox Township Planning Commission Chairman, explained his background and experience on the Evanston Planning Commission. He noted that the Fox Township Planning Commission had two (2) meetings regarding this Petition. He explained that neighbors reported several examples of non-compliance in terms of hours of operation and season of operation.

Chairman Mohr asked why the Fox Township Board did vote on the proposal. Mr. Knutson said that the Commission did vote on various aspects of the requests. Mr. Asselmeier stated that a township board speaks for the Township, but a township planning commission can submit recommendations. Townships cannot formally object to special use permit requests.

Steve Knutson, as a private resident, noted that the existing ordinance has been in existence for two (2) years. The Fox Township Planning Commission recommended approval of the division of the space. The reason for the recommendation for one (1) event per weekend was to give neighbors the opportunity to have one (1) quiet night. Mr. Knutson felt that compliance with the existing regulations was sketchy.

Kurt Buhle expressed his concerns that the Petitioners were not following the existing regulations. He questioned whether or not the Petitioners would follow new rules. He expressed concerns about events going to 11:00 p.m. every night because he was unsure how the change would impact his sleep. He was

concerned about the impact of the new sound system on noise. He was concerned how the proposal would impact property values by having a commercial business in an agricultural area. He was also concerned about safety, security, and traffic. Noise and music was an issue.

Mr. Asselmeier explained the procedure for investigating noise complaints.

Chairman Mohr asked about alcohol regulations. Mr. Asselmeier stated that Fox Township has not reported to the County any violations of township regulations.

Chairman Mohr closed the public hearing at 7:40 p.m.

Mr. Asselmeier noted that State law required the concurrent vote of four (4) members to rule in favor of the applicant.

The Board reviewed the Findings individually.

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. The establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, or general welfare, provided that the site is developed in accordance with the site plan, landscaping plan, and lighting plan approved as part of Ordinance 2019-23.

Member Clementi stated that noise was detrimental to the public health by negatively impacting the ability of neighbors to get a good night's sleep.

The votes were as follows:

Ayes (2):	Mohr and Thompson
Nays (2):	Clementi and Fox
Abstain (0):	None
Absent (3):	Cherry, LeCuyer, and Whitfield

The motion failed. A finding was not made for this fact.

Chairman Mohr felt the plan that was put in place was a good plan, but the question was is the plan being implement.

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. The proposed use could be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity could be mitigated by establishing

restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit.

The votes were as follows:
Ayes (1): Thompson
Nays (3): Clementi, Fox, and Mohr
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion failed. The finding will be made in the negative.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress, and the Petitioners have submitted a permit for the septic system.

The votes were as follows:
Ayes (4): Clementi, Fox, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

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 site conforms to the regulations of the A-1 Agricultural Zoning District.

The votes were as follows:
Ayes (3): Clementi, Fox, and Thompson
Nays (1): Mohr
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

Chairman Mohr felt that the use could become more of a business use than an agricultural use.

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. True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness."

The votes were as follows:
Ayes (3): Clementi, Fox, and Mohr

Nays (1): Thompson
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

Member Clementi made a motion, seconded by Member Fox, to recommend approval of the requested special use permit subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.

2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall at the time of planting and shall be planted by November 30, 2021.

3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.

4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.

5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.

6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.

7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.

8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.

10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.

11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

The votes were as follows:
Ayes (4): Clementi, Fox, Mohr, and Thompson
Nays (0): None
Abstain (0): None
Absent (3): Cherry, LeCuyer, and Whitfield

The motion passed.

The proposal will go to the Kendall County Planning, Building and Zoning Committee on Monday, August 9, 2021.

The Zoning Board of Appeals completed their review of Petition 21-26 at 8:03 p.m.

PUBLIC COMMENTS
Mr. Asselmeier said there are two (2) Petitions for the August meeting, a rezoning on the south of Route 52 west of Jughandle Road and a rezoning on the west side of Jughandle Road south of Route 52.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS
Member Clementi made a motion, seconded by Member Fox, to adjourn.

With a voice vote of four (4) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 8:04 p.m.

The next hearing/meeting will be on August 30, 2021.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

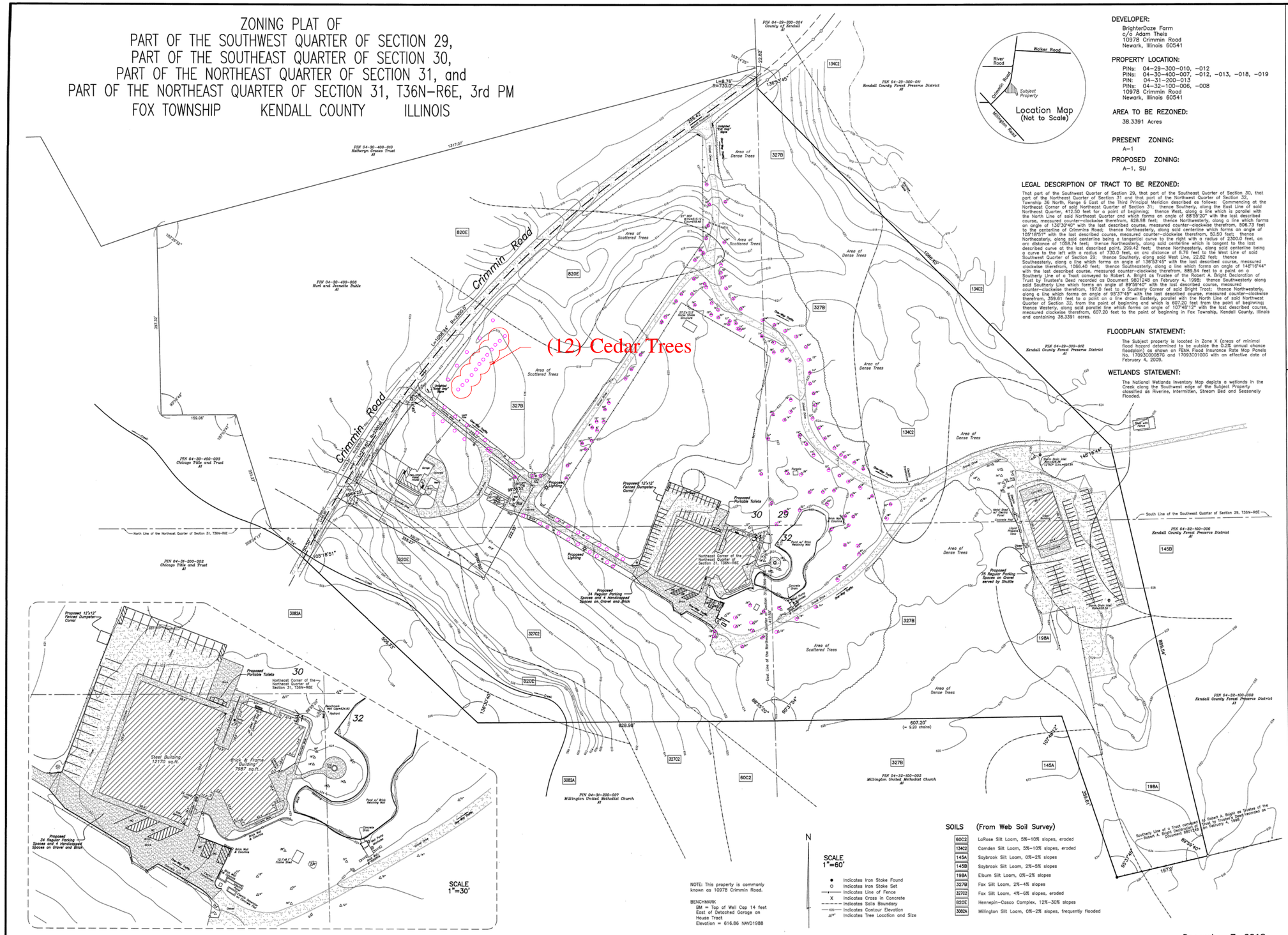
Exhibits
1. Memo on Petition 21-26 Dated July 30, 2021
2. Certificate of Publication for Petition 21-26 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Revised Landscaping Plan

KENDALL COUNTY
ZONING BOARD OF APPEALS
AUGUST 2, 2021

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
	[redacted]	

ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE NORTHEAST QUARTER OF SECTION 31, and PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N–R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS


Crimmin Road
(12) Cedar Trees
PIN 04-29-300-004 County of Kendall Al
PIN 04-29-300-011 Kendall County Forest Preserve District Al
PIN 04-30-400-010 Katheryn Grasses Trust Al
PIN 04-30-400-006 Kurt and Jeannette Buhle Al
PIN 04-30-450-003 Chicago Title and Trust Al
PIN 04-31-200-002 Chicago Title and Trust Al
PIN 04-31-200-007 Millington United Methodist Church Al
PIN 04-32-100-002 Millington United Methodist Church Al
PIN 04-32-100-006 Kendall County Forest Preserve District Al
PIN 04-32-100-008 Kendall County Forest Preserve District Al
PIN 04-29-300-012 Kendall County Forest Preserve District Al
Proposed 12'x12' Fenced Dumpster Corral
Proposed Portable Toilets
Proposed 34 Regular Parking Spaces and 4 Handicapped Spaces on Gravel and Brick
Proposed 75 Regular Parking Spaces on Gravel served by Shuttle
Steel Building 12170 sq.ft
Brick & Frame Building 7887 sq.ft
Area of Dense Trees
Area of Scattered Trees
Northeast Corner of the Northeast Quarter of Section 31, T36N–R6E
Northeast Corner of the Northeast Quarter of Section 32, T36N–R6E
North Line of the Northeast Quarter of Section 31, T36N–R6E
East Line of the Northeast Quarter of Section 31, T36N–R6E
South Line of the Southwest Quarter of Section 29, T36N–R6E
Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 88012...
Pond w/ Rock Retaining Wall
Detention Pond
Gravel Drive
Asphalt Drive
Concrete Drive
Brick Wall & Columns
Wood Fence
Chain Link Fence
Barbed Wire Fence
Overhead Utility Line
Underground Utility Line
Fire Hydrant
Light Pole
Utility Pole
Guy Wire
Mailbox
Sign
Tree
Shrub
Spot Elevation
Curb Inlet
Area Drain
Manhole
Sanitary Manhole
Storm Manhole
Water Valve
Gas Valve
Gas Meter
Electric Meter
Air Conditioning Unit
Satellite Dish
Flag Pole
Basketball Hoop
Swing Set
Playground Equipment
Trampoline
Picnic Table
Fire Pit
Grill
Propane Tank
Generator
Well
Septic Tank
Septic Field
Leach Field
Septic Cleanout
Septic Riser
Septic Lid
Septic Inlet
Septic Outlet
Septic Vent
Septic Pump
Septic Alarm
Septic Control Panel
Septic Float
Septic Pump Chamber
Septic Pump Discharge
Septic Pump Inlet
Septic Pump Outlet
Septic Pump Vent
Septic Pump Alarm
Septic Pump Control Panel
Septic Pump

State of Illinois
County of Kendall

Zoning Petition
#21-26

ORDINANCE NUMBER 2021-_____

GRANTING MAJOR AMENDMENTS TO THE SPECIAL USE PERMIT FOR A BANQUET FACILITY GRANTED BY ORDINANCE 2019-23 BY DIVIDING THE BUILDING ALLOWED TO BE A BANQUET FACILITY INTO SEPARATE EVENTS SPACES, SETTING THE MAXIMUM CAPACITIES OF THE EVENT SPACES, SETTING THE DAYS OF AND HOURS OF OPERATION FOR THE EVENT SPACES, AMENDING THE LANDSCAPING PLAN, AND REMOVING THE REQUIREMENT THAT THE BARN DOORS BE CLOSED BY 7:00 P.M. AT EVENTS WITH MUSIC ON A 38.34 ACRE +/- PARCEL LOCATED AT 10978 CRIMMIN ROAD ON THE PROPERTY IDENTIFIED BY PARCEL IDENTIFICATION NUMBERS 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008 IN FOX TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits, place conditions on special use permits, amend special use permits, and provides the procedure through which special use permits are granted and amended; and

WHEREAS, Section 7:01.D.12 of the Kendall County Zoning Ordinance permits the operation of banquet halls as a special use with certain restrictions in the A-1 Agricultural Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 38.34 acres located at 10978 Crimmin Road (PINs: 04-29-300-010, 04-29-300-012, 04-30-400-007, 04-30-400-012, 04-30-400-013, 04-30-400-018, 04-30-400-019, 04-31-200-013, 04-31-200-014, 04-32-100-006, AND 04-32-100-008) in Fox Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, on August 27, 2019, the Kendall County Board adopted Ordinance 2019-23 which granted a special use permit for a banquet facility with restrictions at the subject property; and

WHEREAS, Condition 2.A of Ordinance 2019-23 established a landscaping plan at the subject property; and

WHEREAS, Condition 2.C of Ordinance 2019-23 set the maximum number of guests in attendance at a banquet center related event at two hundred eighty (280); and

WHEREAS, Condition 2.I of Ordinance 2019-23 required that the north and south barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, Condition 2.J of Ordinance 2019-23 established the hours of operation, a season of operation, and set a maximum number of events allowed at the subject property at thirty (30);

WHEREAS, the subject property is currently owned by Madison Trust and Castle Bank N A as represented by Robert Bright and JoAnn Bright-Theis has permission to operate a banquet facility on the subject property and shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about June 22, 2021, the Petitioner's representative filed a petition for a major amendment to Ordinance 2019-23 which granted a special use permit allowing the operation of a banquet facility at the

subject property by dividing the building allowed to be a banquet facility into separate event spaces, setting the maximum capacities of the event spaces, setting the days of and hours of operation for the event spaces, and removing the requirement that the barn doors be closed by 7:00 p.m. at events with music; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on July 15, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 2, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner presented evidence, testimony, and exhibits in support of the requested major amendments to an existing special use permit and zero members of the public testified in favor, one member of the public testified in opposition, and one member of the public expressed concerns regarding the requested major amendments; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the major amendments to an existing special use permit with conditions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 2, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested major amendments to an existing special use permit with conditions; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, these major amendments to an existing special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for major amendments to the special use permit granted by Ordinance 2019-23 which allowed for the operation of a banquet facility on the subject property subject to the following conditions:

   A. The approximately nineteen thousand seven hundred (19,700) square foot building shall be divided in substantial the way shown on building diagram attached hereto as Exhibit C.

   B. The landscaping plan referenced in Condition 2.A of Ordinance 2019-23 is amended to include the amended landscaping attached hereto as Exhibit D. The twelve (12) cedar trees shall be approximately twelve feet (12') in height at the time of planting. The trees shall be planted by November 30, 2021.

C. Condition 2.C of Ordinance 2019-23 shall be deleted and replaced with the following:

"A maximum of two hundred eighty (280) guests shall be allowed in attendance within Event Space A at a given time. A maximum of sixty (60) guests shall be allowed in attendance within Event Space B at a given time. There shall only be one (1) event taking place at a given time and the total allowable guests shall not exceed a total of two hundred eighty (280) guests."

D. Condition 2.I of Ordinance 2019-23 shall be deleted and replaced with the following:

"No music shall originate outside of any building. This exemption shall not apply to non-amplified music used or performed as part of a wedding ceremony. All speakers shall be pointed towards the inside of buildings. Musicians and disc jockeys shall be required to plug into a sound system provided and controlled by the owners of the business allowed by the special use permit."

E. Condition 2.J of Ordinance 2019-23 shall be deleted and replaced with the following:

"Events in either event spaces shall conclude by Midnight. Tours of the facility for prospective customers shall be by appointment. Setup for events in either event spaces would start at 9:00 a.m. on the day of the event and customers would have one (1) hour to vacate the premises after the conclusion of the event. Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round."

F. All other conditions and restrictions contained in Ordinance 2019-23 shall remain effective.

G. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

H. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

3. These major amendments to an existing special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

4. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect these major amendments to an existing special use permit.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 17th day of August, 2021.

Attest:

Kendall County Clerk Debbie Gillette	Kendall County Board Chairman Scott R. Gryder

Exhibit A

LEGAL DESCRIPTION OF ROBERT BRIGHT TRACT (38.3391 Acres):

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of 88°55'20" with the last described course, measured counter-clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of 136°30'40" with the last described course, measured counter-clockwise therefrom, 506.73 feet to the centerline of Crimmins Road; thence Northeasterly, along said centerline which forms an angle of 105°18'51" with the last described course, measured counter-clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of 136°53'45" with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of 148°16'44" with the last described course, measured counter-clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 9801248 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of 89°59'40" with the last described course, measured counter-clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of 95°37'45" with the last described course, measured counter-clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of 107°48'12" with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 2, 2021. Members Cherry, LeCuyer, and Whitfield were absent.

FINDINGS OF FACT
§ 13:08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The Kendall County Zoning Board of Appeals did not make a finding of this fact. Chairman Mohr and Member Thompson voted for a positive finding and Members Clementi and Fox voted for a negative finding.**

That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood. The Zoning classification of property within the general area of the property in question shall be considered in determining consistency with this standard. The proposed use shall make adequate provisions for appropriate buffers, landscaping, fencing, lighting, building materials, open space and other improvements necessary to insure that the proposed use does not adversely impact adjacent uses and is compatible with the surrounding area and/or the County as a whole. **The proposed use will be injurious to the enjoyment of other property in the immediate vicinity due to noise, light created from the proposed use, and increased traffic. Some of the negative impacts of the proposed use on properties in the immediate vicinity cannot be mitigated by establishing restrictions related to the number of guests allowed on the property, the days and hours of operation, and buffering within the ordinance granting the special use permit and major amendment to the special use permit. Chairman Mohr and Members Clementi and Fox voted for the negative finding and Member Thompson voted for a positive finding.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **True, the Petitioner's approved site plan from Ordinance 2019-23 addresses utilities, drainage, and points of ingress and egress. Finding approved by all members present.**

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 site conforms to the regulations of the A-1 Agricultural Zoning District. Members Clementi, Fox, and Thompson voted for the positive finding and Chairman Mohr voted for a negative finding.**

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. **True, the proposed use is consistent with an objective found on Page 3-6 of the Kendall County Land Resource Management Plan which states as an objective "Encourage Agriculture and Agribusiness." Chairman Mohr and Members Clementi and Fox voted for the positive finding and Member Thompson vote for a negative finding.**

RECOMMENDATION
Approval by vote of four (4) in favor and zero (0) in opposition subject to the following conditions:

1. The building shall be divided as requested by the Petitioners.

2. The landscaping plan shall be amended to reflect the planting of the twelve (12) cedar trees as shown on the revised landscaping plan. The trees shall be approximately twelve feet (12') tall

at the time of planting and shall be planted by November 30, 2021.

3. As requested by the Petitioners, the maximum number of guests in Event Space A shall be two hundred eighty (280) and the maximum number of guests in Event Space B shall be sixty (60). There shall be only one (1) event on the property at a given time and the total allowable number of guests shall not exceed two hundred eighty (280) guests.

4. The Petitioners' request that the barn doors be open after 7:00 p.m. be denied.

5. A condition should be added requiring musicians and disc jockeys to plug into a sound system provided and controlled by the business owners.

6. Events in either space should conclude by 10:00 p.m. on weekdays and 11:00 p.m. on weekends with customers given one (1) hour to vacate the premises. Tours of the facility shall be by appointment. The definition of weekend and weekday would not change from the existing ordinance.

7. As requested by the Petitioners, setup for events in either space would start at 9:00 a.m. on the day of the event.

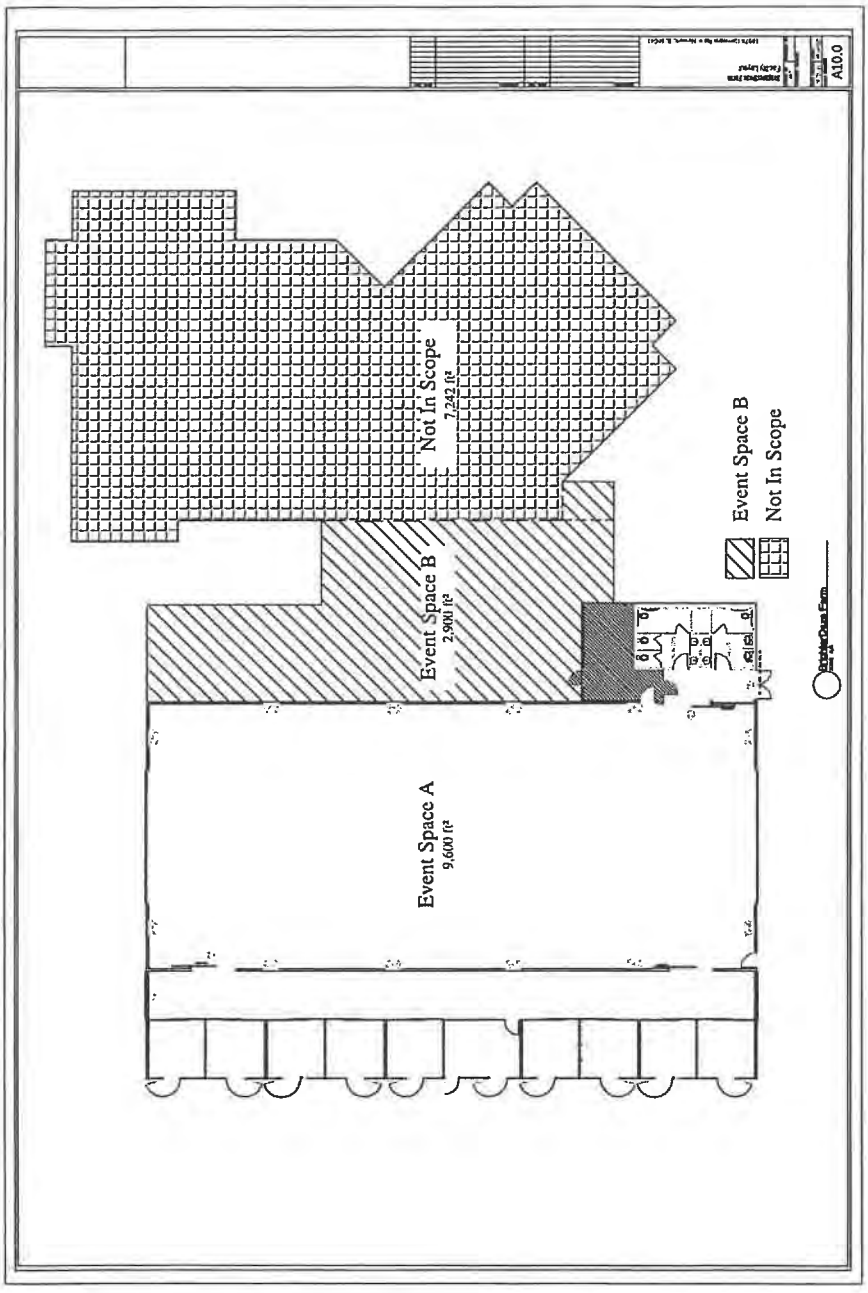
8. As requested by the Petitioners, Event Space A would close on November 1st and reopen April 1st. Event Space B may operate year round.

9. As requested by the Petitioners, the cap on the number of events per weekend and the cap on the number events in a season should be removed.

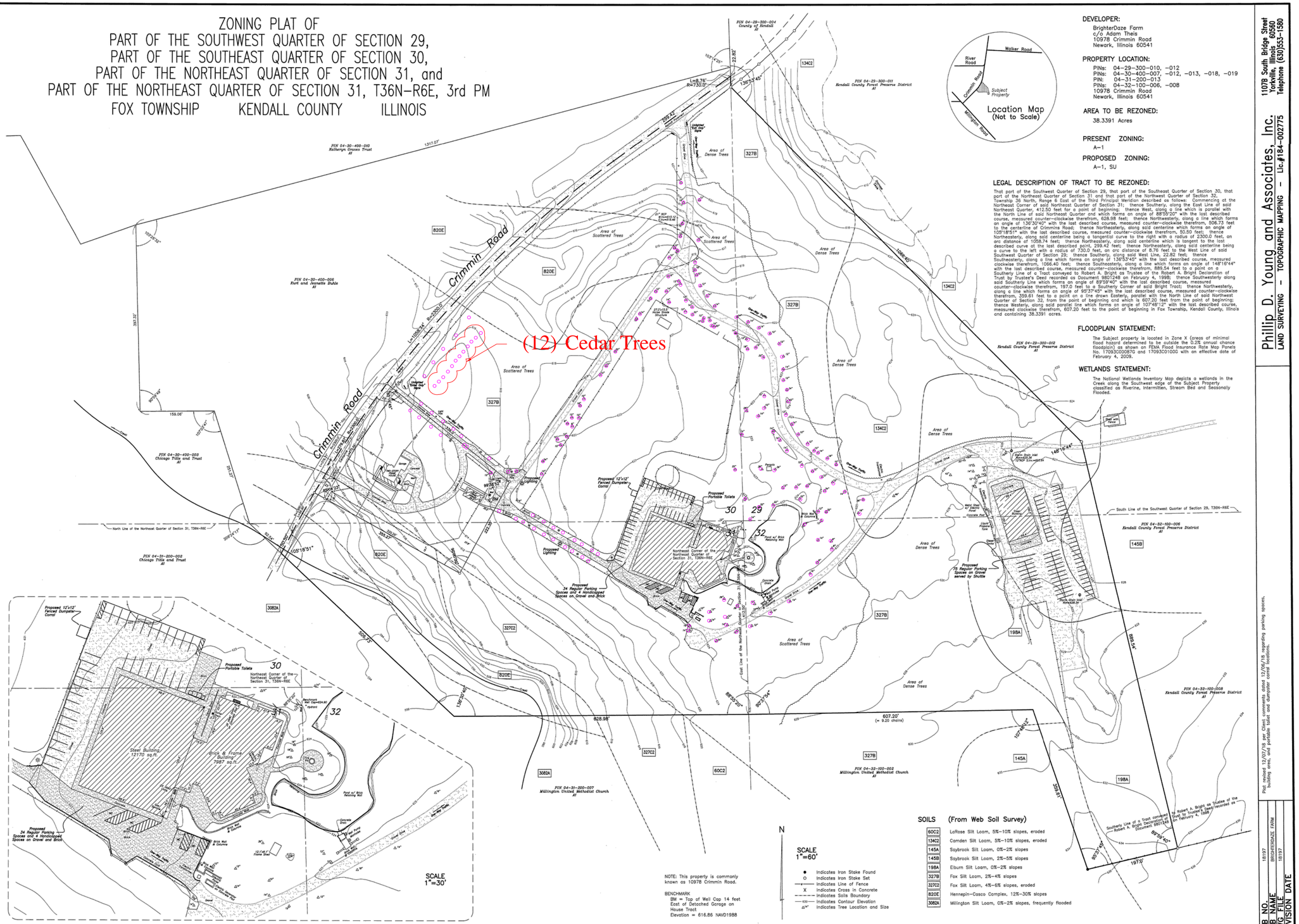
10. All other conditions and restrictions in Ordinance 2019-23 shall remain effective.

11. Failure to comply with one or more of the above conditions or restrictions or the conditions and restrictions contained in Ordinance 2019-23 could result in the amendment or revocation of the special use permit.

12. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.


A10.0
Not In Scope
2,242 ft²
Event Space B
2,900 ft²
Event Space B
Not In Scope
Event Space A
9,600 ft²

ZONING PLAT OF
PART OF THE SOUTHWEST QUARTER OF SECTION 29, PART OF THE SOUTHEAST QUARTER OF SECTION 30, PART OF THE NORTHEAST QUARTER OF SECTION 31, and PART OF THE NORTHEAST QUARTER OF SECTION 31, T36N–R6E, 3rd PM
FOX TOWNSHIP KENDALL COUNTY ILLINOIS



SOILS (From Web Soil Survey)

60C2	LaRose Silt Loam, 5%–10% slopes, eroded
134C2	Camden Silt Loam, 5%–10% slopes, eroded
145A	Saybrook Silt Loam, 0%–2% slopes
145B	Saybrook Silt Loam, 2%–5% slopes
198A	Elburn Silt Loam, 0%–2% slopes
327B	Fox Silt Loam, 2%–4% slopes
327C2	Fox Silt Loam, 4%–6% slopes, eroded
820E	Hennepin–Casco Complex, 12%–30% slopes
3082A	Millington Silt Loam, 0%–2% slopes, frequently flooded

DEVELOPER:
BrighterDaze Farm
c/o Adam Theis
10978 Crimmin Road
Newark, Illinois 60541

PROPERTY LOCATION:
PINs: 04–29–300–010, –012
PINs: 04–30–400–007, –012, –013, –018, –019
PIN: 04–31–200–013
PINs: 04–32–100–006, –008
10978 Crimmin Road
Newark, Illinois 60541

AREA TO BE REZONED:
38.3391 Acres

PRESENT ZONING:
A–1

PROPOSED ZONING:
A–1, SU

LEGAL DESCRIPTION OF TRACT TO BE REZONED:

That part of the Southwest Quarter of Section 29, that part of the Southeast Quarter of Section 30, that part of the Northeast Quarter of Section 31 and that part of the Northwest Quarter of Section 32, Township 36 North, Range 6 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter of Section 31; thence Southerly, along the East Line of said Northeast Quarter, 412.50 feet for a point of beginning; thence West, along a line which is parallel with the North Line of said Northeast Quarter and which forms an angle of 88°59'20" with the last described course, measured counter–clockwise therefrom, 628.98 feet; thence Northwesterly, along a line which forms an angle of 136°30'40" with the last described course, measured counter–clockwise therefrom, 506.73 feet to the centerline of Crimmin Road; thence Northeasterly, along said centerline which forms an angle of 105°18'51" with the last described course, measured counter–clockwise therefrom, 50.50 feet; thence Northeasterly, along said centerline being a tangential curve to the right with a radius of 2300.0 feet, an arc distance of 1058.74 feet; thence Northeasterly, along said centerline which is tangent to the last described curve at the last described point, 299.42 feet; thence Northeasterly, along said centerline being a curve to the left with a radius of 730.0 feet, an arc distance of 8.76 feet to the West Line of said Southwest Quarter of Section 29; thence Southerly, along said West Line, 22.82 feet; thence Southeasterly, along a line which forms an angle of 136°53'45" with the last described course, measured clockwise therefrom, 1066.40 feet; thence Southeasterly, along a line which forms an angle of 148°16'44" with the last described course, measured counter–clockwise therefrom, 889.54 feet to a point on a Southerly Line of a Tract conveyed to Robert A. Bright as Trustee of the Robert A. Bright Declaration of Trust by Trustee's Deed recorded as Document 88012148 on February 4, 1998; thence Southwesterly along said Southerly Line which forms an angle of 89°59'40" with the last described course, measured counter–clockwise therefrom, 197.0 feet to a Southerly Corner of said Bright Tract; thence Northwesterly, along a line which forms an angle of 95°37'45" with the last described course, measured counter–clockwise therefrom, 359.61 feet to a point on a line drawn Easterly, parallel with the North Line of said Northwest Quarter of Section 32, from the point of beginning and which is 607.20 feet from the point of beginning; thence Westerly, along said parallel line which forms an angle of 107°49'12" with the last described course, measured clockwise therefrom, 607.20 feet to the point of beginning in Fox Township, Kendall County, Illinois and containing 38.3391 acres.

FLOODPLAIN STATEMENT:
The Subject property is located in Zone X (areas of minimal flood hazard determined to be outside the 0.2% annual chance floodplain) as shown on FEMA Flood Insurance Rate Map Panels No. 17093C0008G and 17093C0100G with an effective date of February 4, 2009.

WETLANDS STATEMENT:
The National Wetlands Inventory Map depicts a wetlands in the Creek along the Southwest edge of the Subject Property classified as Riverine, Intermitten, Stream Bed and Seasonally Flooded.

Phillip D. Young and Associates, Inc.
LAND SURVEYING – TOPOGRAPHIC MAPPING – Lic.#184–002775
11078 South Bridge Street
Yorkville, Illinois 60560
Telephone (630)553–1580

REVISIONS:	DATE REV.
Plat revised 12/07/18 per Client, comments dated 12/06/18 regarding parking spaces, building area, and portable toilet and dumpster corral locations.	

JOB NO.	18107
JOB NAME	BRIGHTERDAZE FARM
DWG. FILE	18107
REVISION DATE	

BrighterDaze Farm
Landscaping Plan
10978 Crimmins Rd ● Newark, IL 60541

DRAWN BY	CHECKED BY
ART	
PROJECT NUMBER	
DATE ISSUED	SCALE
07/29/21	N/A
SHEET NUMBER	
1.0	

Brighter Daze Farm Landscaping Plan
SCALE: Not to Scale

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Petition 21-27
Paul Kovacevich on Behalf of Tri-Star Development, Inc.
Map Amendment Rezoning Property from A-1 to R-1

INTRODUCTION

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning approximately seven point two (7.2) acres property from A-1 to R-1 in order to construct one (1) house on the subject property.

At the time of application submittal, the subject property is part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment is approved, the Petitioner plans to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

The application materials are included as Attachment 1. The aerial of the entire property in its configuration at the time of application submittal is included as Attachment 2. The aerial of the property subject to the rezoning request is included Attachment 3. The plat of survey for the entire property is included as Attachment 4. The aerial of the entire property showing floodplains and wetlands is included as Attachment 5.

SITE INFORMATION

PETITIONER: Paul Kovacevich on Behalf of Tri-Star Development, Inc.

ADDRESS: Across Route 52 from 2735 Route 52, Minooka

LOCATION: Approximately 0.2 Miles West of Jughandle Road on the South Side of U.S. Route 52

TOWNSHIP: Seward

PARCEL #: 09-15-300-020

LOT SIZE: 40.0065 Acres (Total Parcel) 7.266 Acres (Proposed Rezoned Area)

EXISTING LAND USE: Agricultural/Wooded

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Rural Residential (Max 0.65 DU/Acre)
Roads	U.S. 52 is a State Maintained Arterial.
Trails	Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.
Floodplain/ Wetlands	There is 100-year floodplain of the Aux Sable Creek on the south and southeast sides of the property. There are also palustrine (freshwater forested shrub) and riverine wetlands on the south and southeast sides of the property.

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 to R-1

APPLICABLE REGULATIONS: Section 13:07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Agricultural Farmstead/Special Use For Products Not Grown on the Premises	A-1 SU	Rural Residential (Max 0.65 DU/Acre)	A-1 and A-1 SU
South	Agricultural/Wooded	A-1 and R-1	Rural Residential	A-1, A-1 CU, R-1, and R-1 PUD
East	Single-Family Residential	A-1 and R-1	Rural Residential	A-1 and R-1
West	Agricultural Farmstead and Baker Woods Forest Preserve	A-1 and R-1	Rural Residential and Forest Preserve	A-1, A-1 SU, and R-1

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsmen's quarters.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted (see Attachment 1, Pages 10-13) and noted the presence of the following protected resources in the vicinity:

Aux Sable Creek INAI Site
Greater Redhorse (Moxostoma valenciennesi)

Adverse impacts were considered unlikely and consultation was terminated.

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on June 25, 2021 (see Attachment 1, Page 9). The LESA Score was 189 indicating a low level of protection. The NRI is included as Attachment 6.

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on July 7, 2021. The Seward Township Planning Commission reviewed this proposal on August 12, 2021, and recommended approval by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting are included as Attachment 8.

VILLAGE OF SHOREWOOD

Petition information was sent to the Village of Shorewood on July 7, 2021. The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding the proposal. The email is included as Attachment 9.

MINOOKA FIRE PROTECTION DISTRICT
Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC
ZPAC reviewed this proposal at their meeting on August 3, 2021. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting are included as Attachment 7.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on August 25, 2021. The Kendall County Regional Planning Commission recommended approval by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting are included as Attachment 10.

ZBA
The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 30, 2021. Zero (0) members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals recommended approval by vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing are included as Attachment 11.

GENERAL INFORMATION
The Petitioner desires to rezone the subject property in order to build one (1) house on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

BUILDING CODES
Any new homes or accessory structures would be required to meet applicable building codes.

UTILITIES
No public or private utilities are onsite.

ACCESS
The property fronts Route 52. Staff has no concerns regarding the ability of Route 52 to support the proposed map amendment.

PARKING AND INTERNAL TRAFFIC CIRCULATION
Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

ODORS
No new odors are foreseen.

LIGHTING
Any new lighting would be for residential use only.

LANDSCAPING AND SCREENING
Any fencing, landscaping, or screening would be for residential purposes.

SIGNAGE
Any signage would be residential in nature.

NOISE CONTROL
No noise is anticipated.

STORMWATER
Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

FINDINGS OF FACT
§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications. The following findings were made by the Kendall County Zoning Board of Appeals:

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.**

RECOMMENDATION
Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

The draft ordinance is included as Attachment 12.

ATTACHMENTS
1. Application Materials (Including the Petitioner's Findings of Fact, NRI, and EcoCat)
2. Aerial of the Larger Property
3. Aerial of the Property Subject to the Map Amendment
4. Plat of Survey for Property
5. Aerial of the Larger Property Showing Floodplains and Wetlands
6. NRI Report
7. August 3, 2021 ZPAC Minutes (This Petition Only)
8. August 12, 2021 Seward Township Planning Commission Minutes
9. August 20, 2021 Village of Shorewood Email
10. August 25, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)
11. August 31, 2021 Kendall County Zoning Board of Appeals Minutes
12. Draft Ordinance

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Tri-Star Rezoning **FILE #:**

NAME OF APPLICANT		
Tri-Star Development Inc.		
CURRENT LANDOWNER/NAME(s)		
Tri-Star Development Inc.		
SITE INFORMATION		
ACRES	SITE ADDRESS OR LOCATION	ASSESSOR'S ID NUMBER (PIN)
40.0065 acres	US Route 52	09-15-300-020
EXISTING LAND USE	CURRENT ZONING	LAND CLASSIFICATION ON LRMP
vacant land	A-1	A-1

REQUESTED ACTION (Check All That Apply):

___ SPECIAL USE	X MAP AMENDMENT (Rezone to R-1)	___ VARIANCE
___ ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:	___ SITE PLAN REVIEW
___ TEXT AMENDMENT	___ RPD (___Concept; ___ Preliminary; ___ Final)	___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT	___ FINAL PLAT	___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (___ Major; ___ Minor)		

[1]PRIMARY CONTACT	PRIMARY CONTACT MAILING ADDRESS	PRIMARY CONTACT EMAIL
Daniel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	PRIMARY CONTACT FAX #	PRIMARY CONTACT OTHER #(Cell, etc.)
[redacted]	[redacted]	
[2]ENGINEER CONTACT	ENGINEER MAILING ADDRESS	ENGINEER EMAIL
Chris Papesh	[redacted]	[redacted]
ENGINEER PHONE #	ENGINEER FAX #	ENGINEER OTHER # (Cell, etc.)
[redacted]		

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 **DATE**

X [redacted] 6/25/21

FEE PAID:$ 500.00

CHECK #: [redacted]

RECEIVED
JUN 30 2021
KENDALL COUNTY
PLANNING, BUILDING
& ZONING
Date Stamp Here If
Checklist Is Complete

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

Last Revised:
12.15.20

Please fill out the following findings of fact to the best of your capabilities. § 13:07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

There is a mix of residential and agricultural zoning in the area. However, the predominant use in the area is large lot single family residential that was developed either under prior Kendall County Ordinances since 1973 allowing various sizes of real property parcels to serve as permissible splits to construct residential residences or residences built pursuant to the Allocation Ordinance in the Kendall County Agricultural Zone. Large Lot Estate Residential type housing.

The Zoning classification of property within the general area of the property in question.

Matches the above description of the zoning with a some R-1 Rural Residential as well.

The suitability of the property in question for the uses permitted under the existing zoning classification.

The subject real property is suitable for building of large lot single family homes above the 100 year flood elevation. The area is not suitable for row crop farming due to the 100 year flood stage, wooded area, and non-productive agricultural sales for traditional row crop farming, as well as the small size of said parcels which is not conducive to modern day large scale farm equipment.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

There is a mix of residential and agricultural zoning in the area. However, the predominant use in the area is large lot single family residential that was developed either under prior Kendall County Ordinances since 1973 allowing various sizes of real property parcels to serve as permissible splits to construct residential residences or residences built pursuant to the Allocation Ordinance in the Kendall County Agricultural Zone. Large Lot Estate Residential type housing.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

The application for the residential zoning with large lot single family residential is consistent with the residential class provided for the area in which the real property is located for this application under the Kendall County Land Resource Management Plan.

TRI-STAR DEVELOPMENT, INC.

EAST TRACT
PROPOSED R-1 ZONING

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE NORTH 88 DEGREES 21 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1091.99 FEET; THENCE SOUTH 01 DEGREES 38 MINUTES 24 SECONDS EAST 40.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 201000000304; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 330.00 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000000304, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 208.70 FEET TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER, 672.16 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, A DISTANCE OF 324.16 FEET TO A POINT ON THE WEST LINE OF LANGELAND'S SUBDIVISION, SAID POINT BEING THE SOUTHEAST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, 100.00 FEET; THENCE SOUTH 37 DEGREES 15 MINUTES 59 SECONDS WEST 350.00 FEET; THENCE SOUTH 75 DEGREES 26 MINUTES 06 SECONDS WEST 316.30 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000000304; THENCE NORTH 01 DEGREES 38 MINUTES 24 SECONDS WEST ALONG SAID PARALLEL LINE, 1115.20 FEET TO THE POINT OF BEGINNING, IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS.
Containing 7.266 acres more or less.

200700010249
Filed for Record in
KENDALL COUNTY, ILLINOIS
PAUL ANDERSON
03-28-2007 At 02:40 pm.
QUIT CLAIM 40.00
RHSP Surcharge 10.00

QUIT CLAIM DEED
Illinois

THE GRANTOR, Kovacevich Enterprises, Inc., a corporation created and existing under and by virtue of the laws of Delaware corporation., for and in consideration of the sum of Ten and 00/100 Dollars ($10.00), and other good and valuable consideration in hand paid, and pursuant to authority given by the Board of Directors of said Corporation,

CONVEYS and QUIT CLAIMS to

Tri-Star Development, Inc., an Illinois corporation, whose address is P.O. Box 208, Minooka, Illinois 60447, the following described Real Estate situated in the County of Kendall, in the State of Illinois, to-wit:

See attached legal description.

Permanent Real Estate Index Numbers: 09-15-300-003; 09-15-300-005; 09-15-300-013; 09-16-400-002; 09-16-400-005; 09-16-400-006; 09-21-200-004; 09-22-100-010

This transaction exempt pursuant to 35 ILCS 200/31-45 paragraph (e).

[redacted]
Attorney

IN WITNESS WHEREOF, said Grantor has caused its name to be signed to these presents by its President this 14th day of March, 2007.

Kovacevich Enterprises, Inc.,
a Delaware corporation

BY: [redacted]
Sam Kovacevich, President

State of ~~Illinois~~ Florida)
County of ~~Kendall~~ Broward) ss.

I, the undersigned, a Notary Public in and for the County and State aforesaid, DO HEREBY CERTIFY that Stuart Garland, personally known to me to be the President of Kovacevich Enterprises, Inc., and personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such President he signed and delivered the said instrument, pursuant to authority given by the Board of Directors of said Corporation, as his free and voluntary act, and as the free and voluntary act and deed of said Corporation, for the uses and purposes therein set forth.

Given under my hand and official seal, this 14th day of March, 2007.

NOTARY PUBLIC-STATE OF FLORIDA
Ernest L. Sullivan, Jr.
Commission # [redacted]
Expires: JUNE 12, 2010
BONDED THRU ATLANTIC BONDING CO., INC.

[redacted]
Notary Public

This instrument was prepared by Gerald M. Newman, 222 S. Riverside Plaza, #2100, Chicago, IL. 60606.

MAIL TO:

Herbert B. Rosenberg
[redacted]wman & Rosenberg, Ltd.
[redacted]

SEND TAX BILLS TO:

Tri-Star Development, Inc
[redacted]

Legal Description

THE WEST 252.26 FEET OF THE EAST 502.26 FEET OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 16; AND ALSO THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SECTION 16; AND ALSO THE NORTH 43.65 ACRES OF THE NORTHEAST QUARTER OF SECTION 21; AND ALSO THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15 AND PART OF THE NORTHWEST QUARTER OF SECTION 22, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15, THENCE NORTH 89 DEGREES, 36 MINUTES, 00 SECONDS EAST ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, 1091.99 FEET; THENCE SOUTH 0 DEGREES, 24 MINUTES, 00 SECONDS EAST TO THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, 40.0 FEET TO THE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 35 MINUTES, 42 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE 539.63 FEET; THENCE SOUTH 0 DEGREES, 01 MINUTES, 04 SECONDS WEST 672.08 FEET; THENCE NORTH 89 DEGREES, 35 MINUTES, 42 SECONDS EAST PARALLEL TO THE SOUTH RIGHT OF WAY LINE OF SAID U.S. ROUTE 52, 324.16 FEET TO THE WEST LINE OF LANGELAND'S SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID SUBDIVISION 287.19 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE SOUTH 89 DEGREES, 40 MINUTES, 20 SECONDS EAST ALONG THE SOUTH LINE OF SAID SUBDIVISION, 135.15 FEET; THENCE SOUTH 0 DEGREES, 01 MINUTES, 04 SECONDS WEST, 326.85 FEET TO THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE EAST ALONG SAID SOUTH LINE TO THE EAST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH ALONG SAID EAST LINE 1328.00 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE SOUTH ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF AFORESAID SECTION 22, A DISTANCE OF 717.35 FEET TO THE SOUTH LINE OF NORTH 43.65 ACRES OF SAID NORTHWEST QUARTER; THENCE WEST ALONG THE SAID SOUTH LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE NORTH ALONG SAID WEST LINE TO THE NORTHWEST CORNER OF SAID SECTION 22; THENCE NORTH ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15, A DISTANCE OF 1324.19 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER; THENCE EAST ALONG THE NORTH LINE OF THE SOUTH HALF OF SAID SOUTHWEST QUARTER 370.50 FEET TO THE CENTERLINE OF AUX SABLE CREEK; THENCE NORTHERLY ALONG SAID CENTER LINE TO A LINE DRAWN PARALLEL WITH AND 620.7 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES THERETO, THE NORTH LINE OF SAID SOUTHWEST QUARTER; THENCE NORTH 89 DEGREES, 36 MINUTES, 00 SECONDS EAST ALONG SAID PARALLEL LINE 717.0 FEET; THENCE NORTH 0 DEGREES, 24 MINUTES, 00 SECONDS WEST 580.7 FEET TO THE POINT OF BEGINNING, EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 15; THENCE NORTH 0 DEGREES 00 MINUTES 13 SECONDS EAST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, 426.00 FEET; THENCE NORTH 84 DEGREES 22 MINUTES 17 SECONDS WEST, 260.00 FEET; THENCE NORTH 5 DEGREES 37 MINUTES 43 SECONDS EAST, 36.00 FEET; THENCE NORTH 87 DEGREES 19 MINUTES 31 SECONDS WEST, 386.00 FEET; THENCE SOUTH 75 DEGREES 24 MINUTES 43 SECONDS

WEST, 112.00 FEET; THENCE SOUTH 14 DEGREES 35 MINUTES 17 SECONDS EAST, 114.00 FEET; THENCE SOUTH 46 DEGREES 24 MINUTES 43 SECONDS WEST, 202.00 FEET; THENCE SOUTH 42 DEGREES 50 MINUTES 11 SECONDS WEST, 104.86 FEET; THENCE SOUTH 18 DEGREES 17 MINUTES 03 SECONDS WEST, 114.29 FEET TO THE CENTERLINE OF AUX SABLE CREEK; THENCE SOUTH 7 DEGREES 43 MINUTES 27 SECONDS EAST ALONG SAID CENTERLINE, 150.00 FEET; THENCE SOUTH 3 DEGREES 18 MINUTES 43 SECONDS WEST ALONG SAID CENTERLINE, 160.00 FEET; THENCE SOUTH 16 DEGREES 49 MINUTES 33 SECONDS WEST ALONG SAID CENTERLINE, 160.00 FEET; THENCE SOUTH 43 DEGREES 09 MINUTES 58 SECONDS WEST ALONG SAID CENTERLINE, 419.79 FEET TO THE SOUTH LINE OF THE AFORESAID NORTH 43.65 ACRES OF THE NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 89 DEGREES 38 MINUTES 17 SECONDS EAST ALONG SAID SOUTH LINE, 1300.00 FEET TO THE EAST LINE OF THE AFORESAID NORTHWEST QUARTER OF SECTION 22; THENCE NORTH 0 DEGREES 16 MINUTES 42 SECONDS WEST ALONG SAID EAST LINE, 717.38 FEET TO THE POINT OF BEGINNING, AND ALSO EXCEPTING THEREFROM THE LAND CONTAINED IN QUIT CLAIM DEED RECORDED AS DOCUMENT NUMBER 912009, DESCRIBED AS FOLLOWS: LOT 22 (EXCEPT THE SOUTH 10 ACRES) IN SECTION 15, TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE MAP THEREOF RECORDED IN THE RECORDER'S OFFICE OF KENDALL COUNTY IN PLAT BOOK 2 ON PAGE 67, ALL IN THE TOWNSHIP OF SEWARD, IN KENDALL COUNTY, ILLINOIS.

KENDALL COUNTY
DISCLOSURE OF BENEFICIARIES FORM

1. Applicant Tri-Star Development Inc.

Address [redacted]

City [redacted] Stat [redacted] Zip [redacted]

2. Nature of Benefit Sought Owner

3. Nature of Applicant: (Please check one)

___ Natural Person
_X_ Corporation
___ Land Trust/Trustee
___ Trust/Trustee
___ Partnership
___ Joint Venture

4. If applicant is an entity other than described in Section 3, briefly state the nature and characteristics of the applicant:

5. If your answer to Section 3 you have checked letter b, c, d, e, or f, identify by name and address each person or entity who is a 5% shareholder in case of a corporation, a beneficiary in the case of a trust or land trust, a joint venture in the case of a joint venture, or who otherwise has proprietary interest, interest in profits and losses or right to control such entity:

NAME	ADDRESS	INTEREST
Paul Kovacevich	[redacted]	26.6 %
GREGG KOVACEVICH		26.6 %
JACQUELINE WYDRA		15.6 %
CHRISTOPHER KOVACEV		15.6 %
KYLE KOVACEVICH		15.6 %

6. Name, address, and capacity of person making this disclosure on behalf of the applicant:

VERIFICATION

I, _____ being first duly sworn under oath that I am the person making this disclosure on behalf of the applicant, that I am duly authorized to make the disclosure, that I have red the above and foregoing Disclosure of Beneficiaries, and that the statements contained therein are true in both substance and fact.

Subscribed and sworn to before me this 25th day of June A.D. 2021

(seal) [redacted]

Notary Public

"OFFICIAL SEAL"
DANIEL J KRAMER
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 4/29/2024

Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Tri-Star Development Inc. **Contact Person:** Daniel J. Kramer

Address: [redacted]

City, State, Zip: [redacted]

Phone Number: [redacted]

Email: [redacted]

Please select: How would you like to receive a copy of the NRI Report? ☑ Email ☐ Mail

Site Location & Proposed Use

Township Name Seward Township 35 N, Range 8 E, Section(s) 15

Parcel Index Number(s) 09-15-300-020

Project or Subdivision Name Tri-Star Number of Acres 40.065

Current Use of Site vacant Proposed Use one single family home

Proposed Number of Lots 1 Proposed Number of Structures 1

Proposed Water Supply well Proposed type of Wastewater Treatment septic

Proposed type of Storm Water Management

Type of Request

☑ Change in Zoning from A-1 to R-1

☐ Variance (Please describe fully on separate page)

☐ Special Use Permit (Please describe fully on separate page)

Name of County or Municipality the request is being filed with: Kendall County Planning Building and Zoning

In addition to this completed application form, please including the following to ensure proper processing:

☑ **Plat of Survey/Site Plan** – showing location, legal description and property measurements

☐ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.

☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies

☐ **NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.

Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
36 Additional Acres at $18.00 each	$ 648.00
Total NRI Fee	$ 1023.00

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

[redacted] 6-25-21

Petitioner or Authorized Agent **Date**

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY

NRI#_____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____

Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

Applicant: Tri-Start Development Inc
Contact: Attorney Daniel J. Kramer
Address: [redacted]

Project: Tri-Star Development
Address: US Route 52, Minooka

IDNR Project Number: 2115163
Date: 06/28/2021

Description: Rezone property from A-1 to R-1 to build one single family home

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Aux Sable Creek INAI Site
Greater Redhorse *(Moxostoma valenciennesi)*

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location

The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
35N, 8E, 15



IL Department of Natural Resources Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Planning, Building, & Zoning
Matt Asselmeier
111 W Fox Street
Yorkville, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

IDNR Project Number: 2115163

1. The IDNR EcoCAT website was developed so that units of local government, state agencies and the public could request information or begin natural resource consultations on-line for the Illinois Endangered Species Protection Act, Illinois Natural Areas Preservation Act, and Illinois Interagency Wetland Policy Act. EcoCAT uses databases, Geographic Information System mapping, and a set of programmed decision rules to determine if proposed actions are in the vicinity of protected natural resources. By indicating your agreement to the Terms of Use for this application, you warrant that you will not use this web site for any other purpose.

2. Unauthorized attempts to upload, download, or change information on this website are strictly prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and/or the National Information Infrastructure Protection Act.

3. IDNR reserves the right to enhance, modify, alter, or suspend the website at any time without notice, or to terminate or restrict access.

Security

EcoCAT operates on a state of Illinois computer system. We may use software to monitor traffic and to identify unauthorized attempts to upload, download, or change information, to cause harm or otherwise to damage this site. Unauthorized attempts to upload, download, or change information on this server is strictly prohibited by law.

Unauthorized use, tampering with or modification of this system, including supporting hardware or software, may subject the violator to criminal and civil penalties. In the event of unauthorized intrusion, all relevant information regarding possible violation of law may be provided to law enforcement officials.

Privacy

EcoCAT generates a public record subject to disclosure under the Freedom of Information Act. Otherwise, IDNR uses the information submitted to EcoCAT solely for internal tracking purposes.

IDNR Project Number: 2115163

EcoCAT
Ecological Compliance Assessment Tool

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

EcoCAT Receipt

Project Code 2115163

APPLICANT	DATE
Tri-Start Development Inc Attorney Daniel J. Kramer [redacted]	6/28/2021

DESCRIPTION	FEE	CONVENIENCE FEE	TOTAL PAID
EcoCAT Consultation	$ 125.00	$ 2.81	$ 127.81

TOTAL PAID $ 127.81

Illinois Department of Natural Resources
One Natural Resources Way
Springfield, IL 62702
217-785-5500
dnr.ecocat@illinois.gov

Illinois Department of
Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
http://dnr.state.il.us

JB Pritzker, Governor
Colleen Callahan, Director

June 28, 2021

Attorney Daniel J. Kramer
Tri-Start Development Inc
[redacted]

RE: Tri-Star Development
Project Number(s): 2115163
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

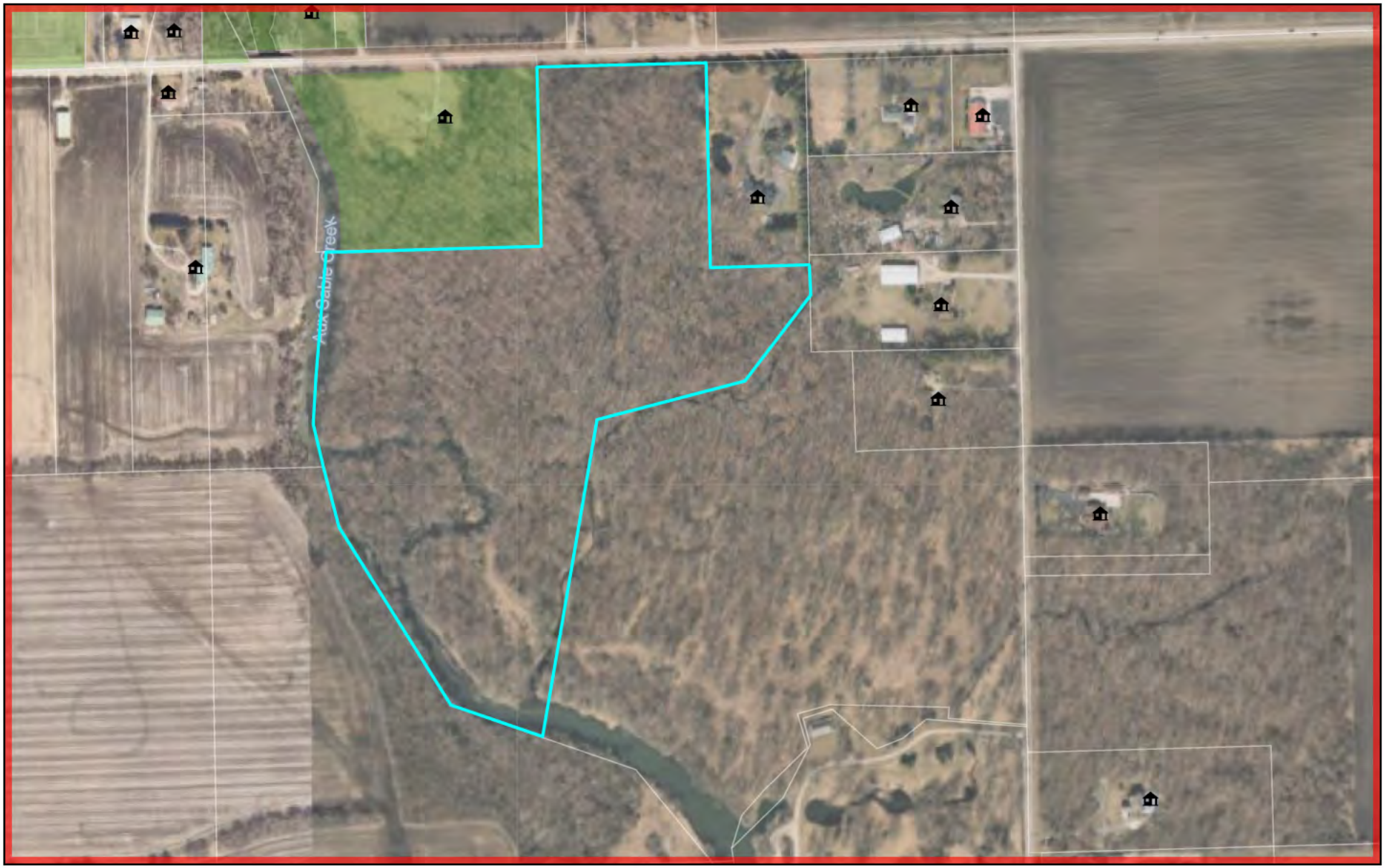
The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

Adam Rawe

Adam Rawe
Division of Ecosystems and Environment
217-785-5500

Attachment 2



June 30, 2021

Kendall County Address Points

Kendall County Forest Preserves

Parcels

Ownership Parcel

1:7,200

0 0.04 0.09 0.18 mi

0 0.05 0.1 0.2 km

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Proposed R1 Zoning

Eastern part of 09-15-300-020

Legend

Parcels

N

0 100 200 400

Feet

Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

PLAT OF SURVEY

VICINITY MAP

SURVEYED PROPERTY

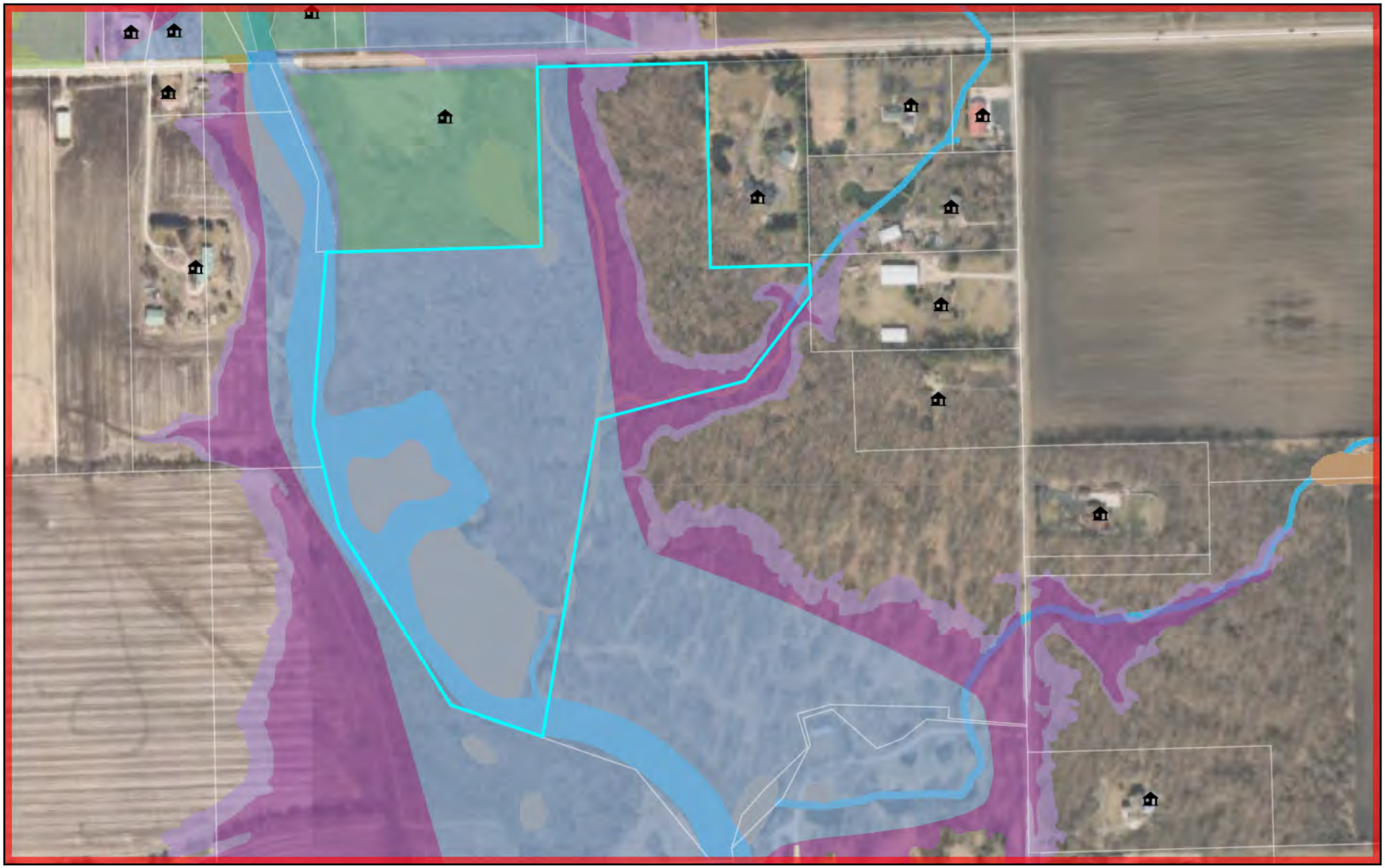
EAST TRACT
PROPOSED R-1 ZONING

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE NORTH 88 DEGREES 21 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1081.89 FEET; THENCE SOUTH 01 DEGREES 38 MINUTES 34 SECONDS EAST, 40.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 201000003041; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 330.00 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 291000003041, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 208.70 FEET TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 200900002962; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER, 672.16 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NUMBER 200900002962; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, A DISTANCE OF 324.18 FEET TO A POINT ON THE WEST LINE OF LANGELAND'S SUBDIVISION, SAID POINT BEING THE SOUTHEAST CORNER OF SAID DOCUMENT NUMBER 200900002962; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, 100.00 FEET; THENCE SOUTH 37 DEGREES 18 MINUTES 58 SECONDS WEST 256.00 FEET; THENCE SOUTH 75 DEGREES 26 MINUTES 04 SECONDS WEST 318.50 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000003041; THENCE NORTH 01 DEGREES 38 MINUTES 34 SECONDS WEST ALONG SAID PARALLEL LINE, 1115.20 FEET TO THE POINT OF BEGINNING, IN KENDALL COUNTY, ILLINOIS. Containing 7.266 acres more or less.

WEST TRACT
RETAINED A-1 ZONING

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE NORTH 88 DEGREES 21 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1081.89 FEET; THENCE SOUTH 01 DEGREES 38 MINUTES 34 SECONDS EAST, 40.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 201000003041, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 01 DEGREES 38 MINUTES 34 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 330.00 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER; THENCE SOUTH 01 DEGREES 38 MINUTES 34 SECONDS EAST ALONG SAID PARALLEL LINE, 1115.20 FEET; THENCE SOUTH 75 DEGREES 26 MINUTES 04 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 330.00 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000003041

Attachment 5



June 30, 2021

Kendall County Address Points

Parcels

Ownership Parcel

Kendall County Forest Preserves

USA Flood Hazard Areas

1% Annual Chance Flood Hazard

0.2% Annual Chance Flood Hazard

Regulatory Floodway

USA Wetlands

Marine

Estuarine

Palustrine

1:7,200

0 0.04 0.09 0.18 mi

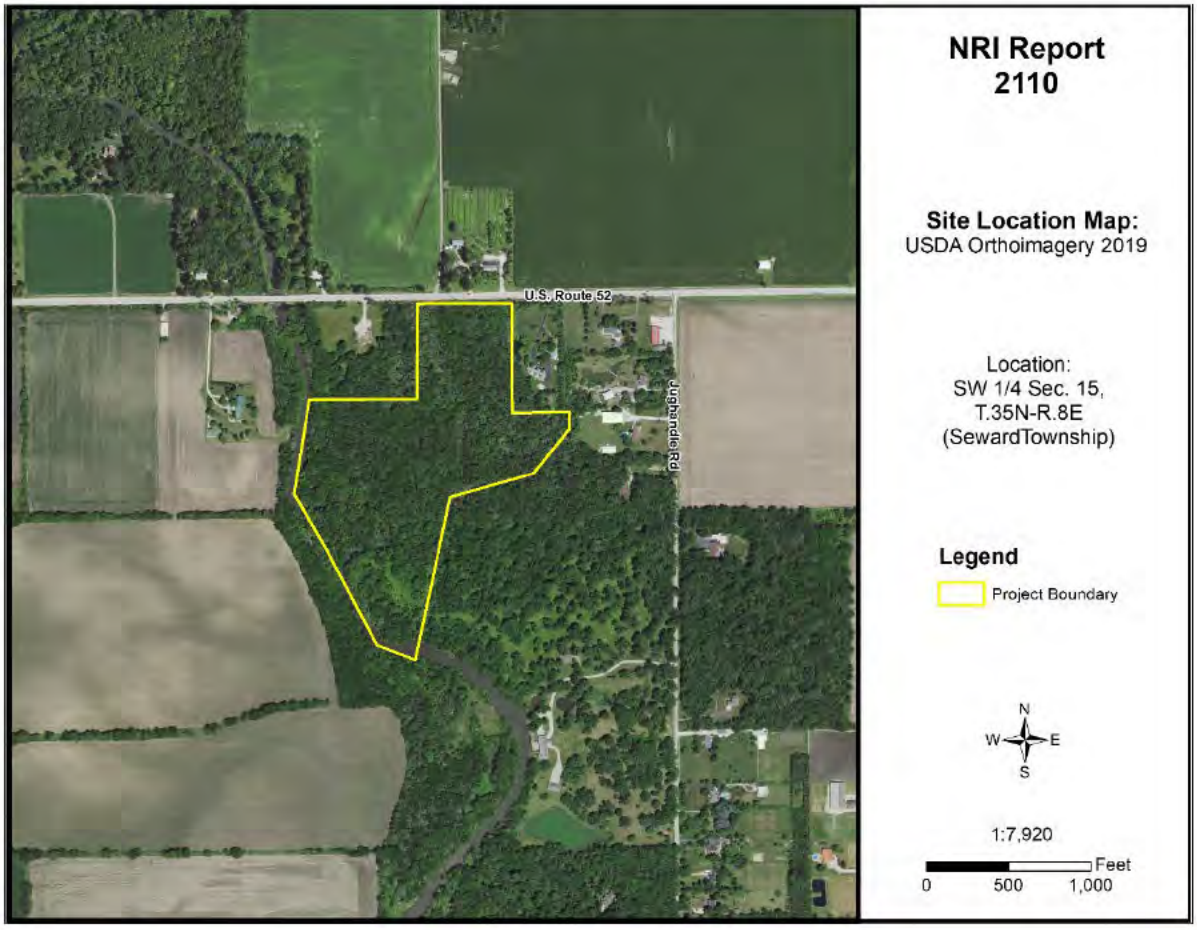
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NATURAL RESOURCE INFORMATION (NRI) REPORT: #2110



July 2021

Petitioner: Tri-Star Development, Inc.
Contact: Attorney Daniel J. Kramer

Prepared By:

Kendall County Soil & Water Conservation District

7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
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www.kendallswcd.org

KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT
NATURAL RESOURCE INFORMATION (NRI) REPORT

Natural Resource Information Report Number	2110
Date District Board Reviews Application	July 2021
Applicant's Name	Tri-Star Development, Inc.
Size of Parcel	(+/-) 40.065 acres
Current Zoning & Use	A-1 Agricultural; Vacant Forested Land
Proposed Zoning & Use	R-1 Residential; One Single-Family Home
Parcel Index Number(s)	09-15-300-020
Contact Person	Attorney Daniel J. Kramer

Copies of this report or notification of the proposed land-use change was provided to:	**Yes**	**No**
The Applicant	X	
The Applicant's Legal Representation	X	
The Local/Township Planning Commission	X	
The Village/City/**County** Planning and Zoning Department or Appropriate Agency	X	
The Kendall County Soil and Water Conservation District Files	X	

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
E-mail: Alyse.Olson@il.nacdnet.net

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2110
Petitioner	Tri-Star Development, Inc.
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SW ¼ of Section 15, Township 35 North, Range 8 East (Seward Township) of the 3rd Principal Meridian
Project or Subdivision Name	Tri-Star Development
Existing Zoning & Land Use	A-1 Agricultural; Vacant Forested Land
Proposed Zoning & Land Use	R-1 Residential; One Single-Family Home
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	N/A
Size of Site	(+/-) 40.065 acres
Land Evaluation Site Assessment Score	189 (Land Evaluation: 88; Site Assessment: 101)

NATURAL RESOURCE CONSIDERATIONS

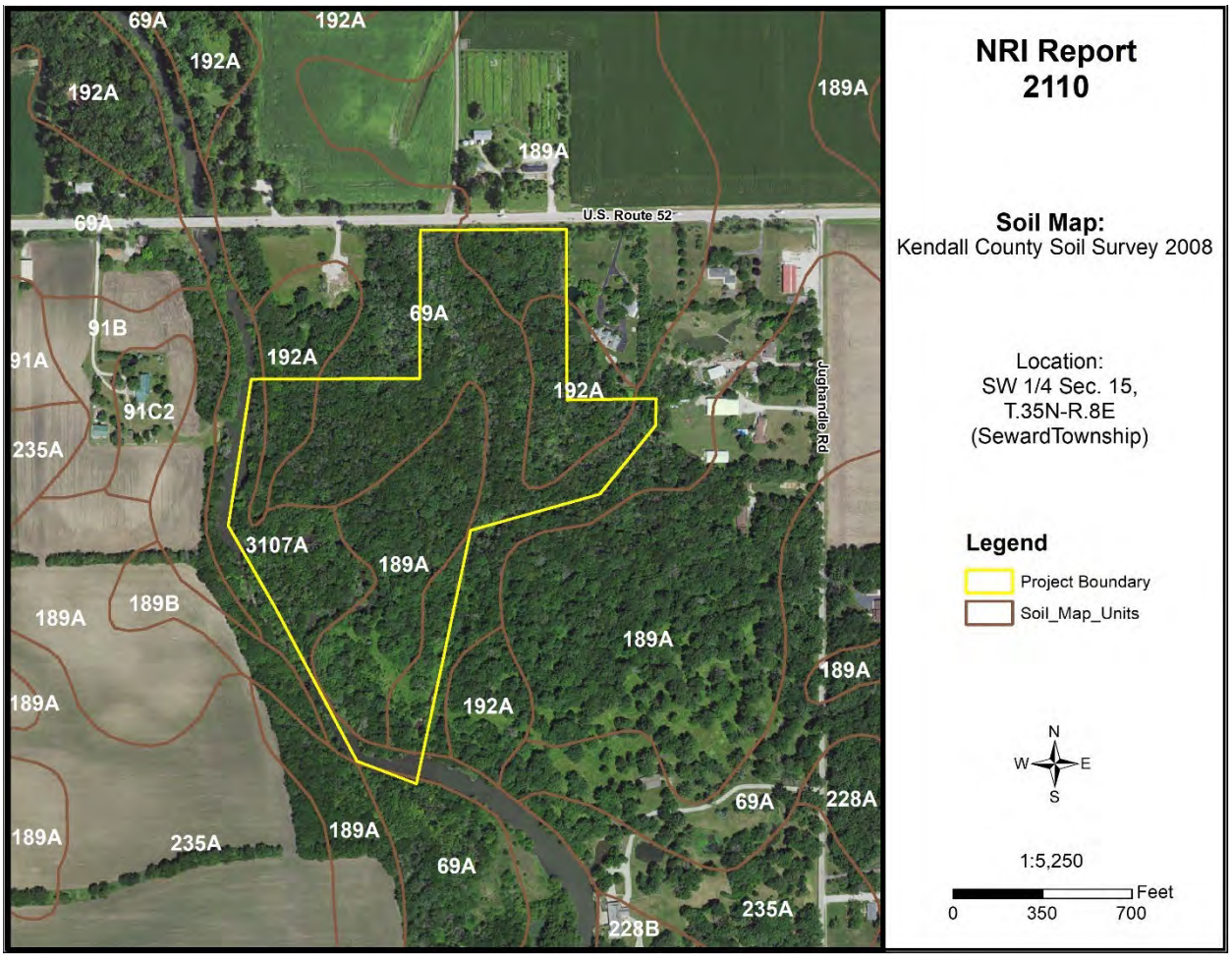


Figure 1: Soil Map

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; if completed, please refer to onsite soil test results for planning/engineering purposes):

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
69A	Milford silty clay loam, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland if drained
189A	Martinton silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland
189B	Martinton silt loam, 2-4% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland
192A	Del Rey silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland if drained

3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	Poorly Drained	B/D	Hydric	Prime Farmland if drained & either protected from flooding or not frequently flooded during growing season

Hydrologic Soil Groups – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, two are classified as hydric soils (69A Milford silty clay loam and 3107A Sawmill silty clay loam), and the remaining three are classified as non-hydric soils that likely contain hydric inclusions (189A Martinton silt loam, 189B Martinton silt loam, and 192A Del Rey silt loam).

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, two are designated as prime farmland (189A Martinton silt loam and 189B Martinton silt loam), and the remaining soils are designated as prime farmland if drained (69A Milford silty clay loam, 192A Del Rey silt loam, and 3107A Sawmill silty clay loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, lawns/landscaping, and local roads and streets. Soils have different properties which influence the development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are

moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Table 2: Soil Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns/ Landscaping	Conventional Septic Systems
69A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited
189A	Very Limited	Very Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
189B	Verm Limited	Very Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
192A	Very Limited	Very Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
3107A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited

Septic Systems – The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630) 553-9100 ext. 8026).

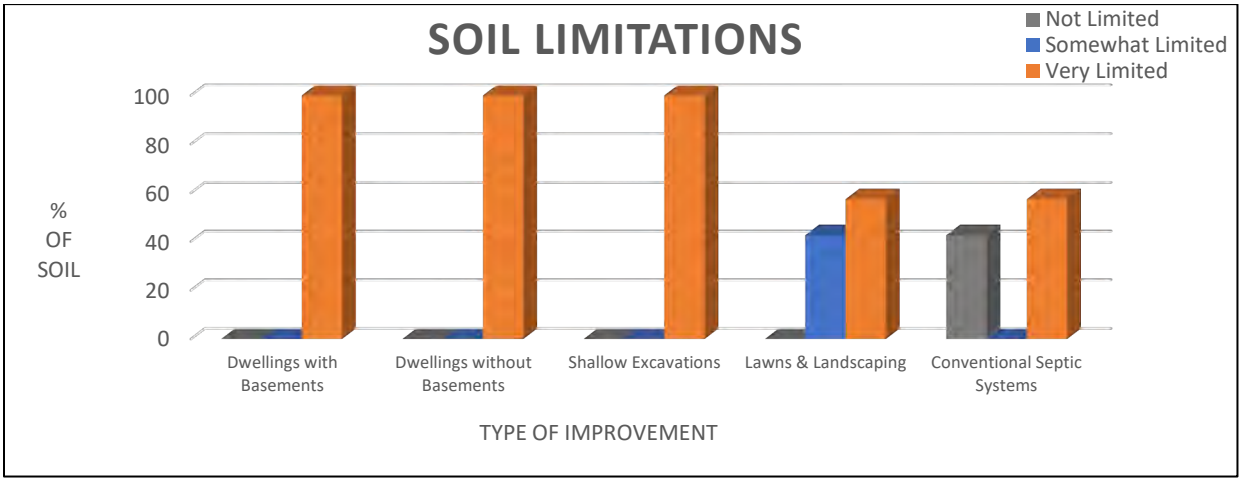


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical

characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
    - The Land Evaluation score for this site is **88**, indicating that this site is **well suited** for agricultural uses.
- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
    - The Site Assessment score for this site is **101**.

The **LESA Score for this site is 189 out of a possible 300, which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map **indicates the presence** of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0145H (effective date January 8, 2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel **is located within** the floodplain and floodway.

SEDIMENT AND EROSION CONTROL

Development on this site should include an erosion and sediment control plan in accordance with local, state, and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (https://illinoisurbanmanual.org/) for appropriate best management practices.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioner Tri-Star Development, Inc. for the proposed change in zoning to construct one single-family home on the parcel within Seward Township of Kendall County located in the SW ¼ of Section 15, Township 35N, and Range 8E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. Of the soils found onsite, 100% are classified as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored an 88 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA Score for this site is 189 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for dwellings with basements, dwellings without basements, and shallow excavations and 57% are very limited for lawns/landscaping. The remaining 43% are considered somewhat limited for lawns/landscaping. Additionally, 57% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the Minooka Branch Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use, it is recommended that a drainage tile survey be completed on the parcel to locate the subsurface drainage tile and should be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]
SWCD Board Representative

07/12/2021
Date

PARCEL LOCATION

Location Map for Natural Resources Information Report #2110

SW ¼ of Section 15, Township 35 North, Range 8 East (Seward Township) on 40.065 acres. This parcel is located on the west side of Jughandle Road, east of O Brien Road, south of U.S. Route 52, and north of Bell Road in Minooka, IL. The parcel is part of unincorporated Kendall County.

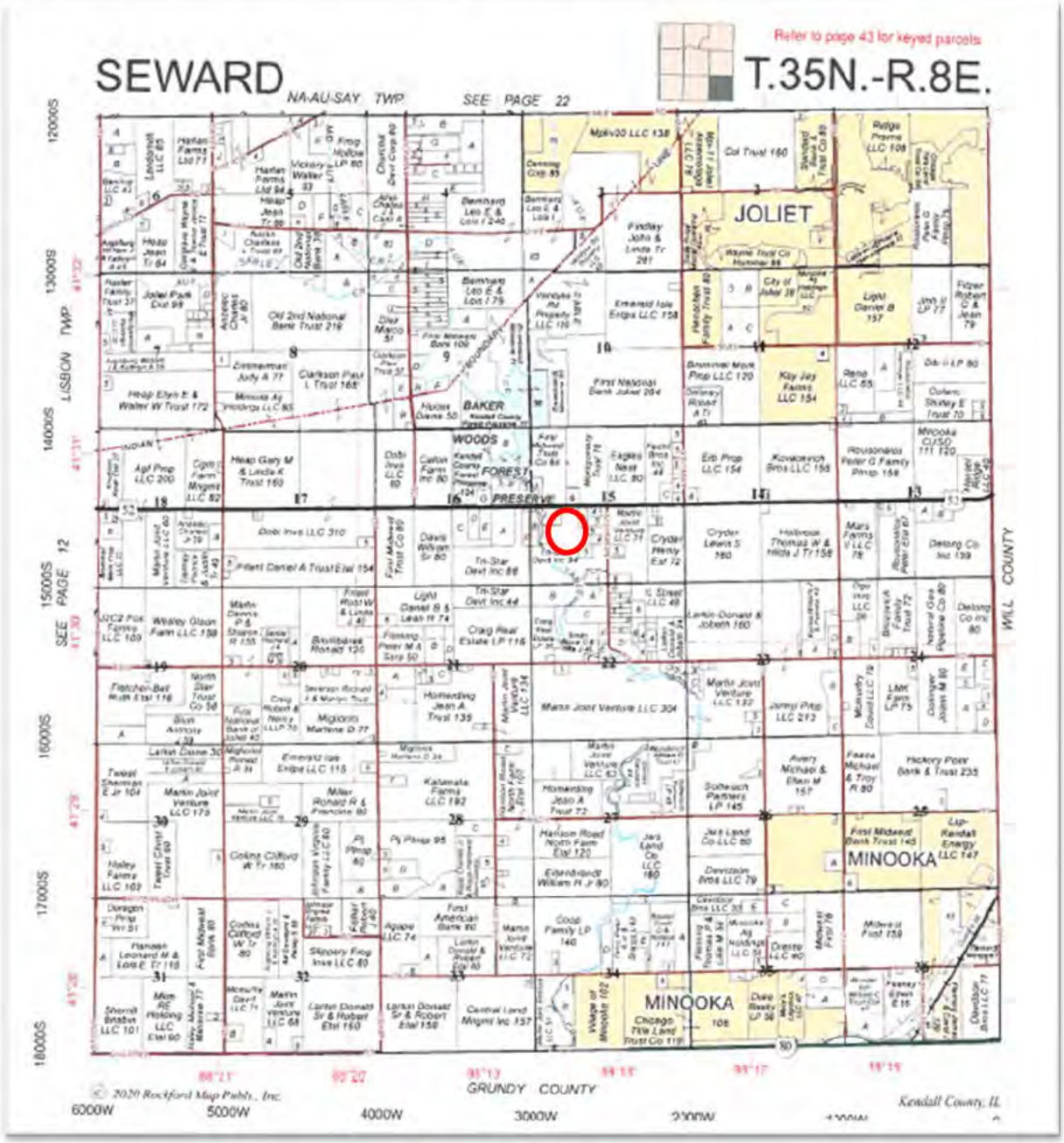


Figure 3: 2021 Plat Map

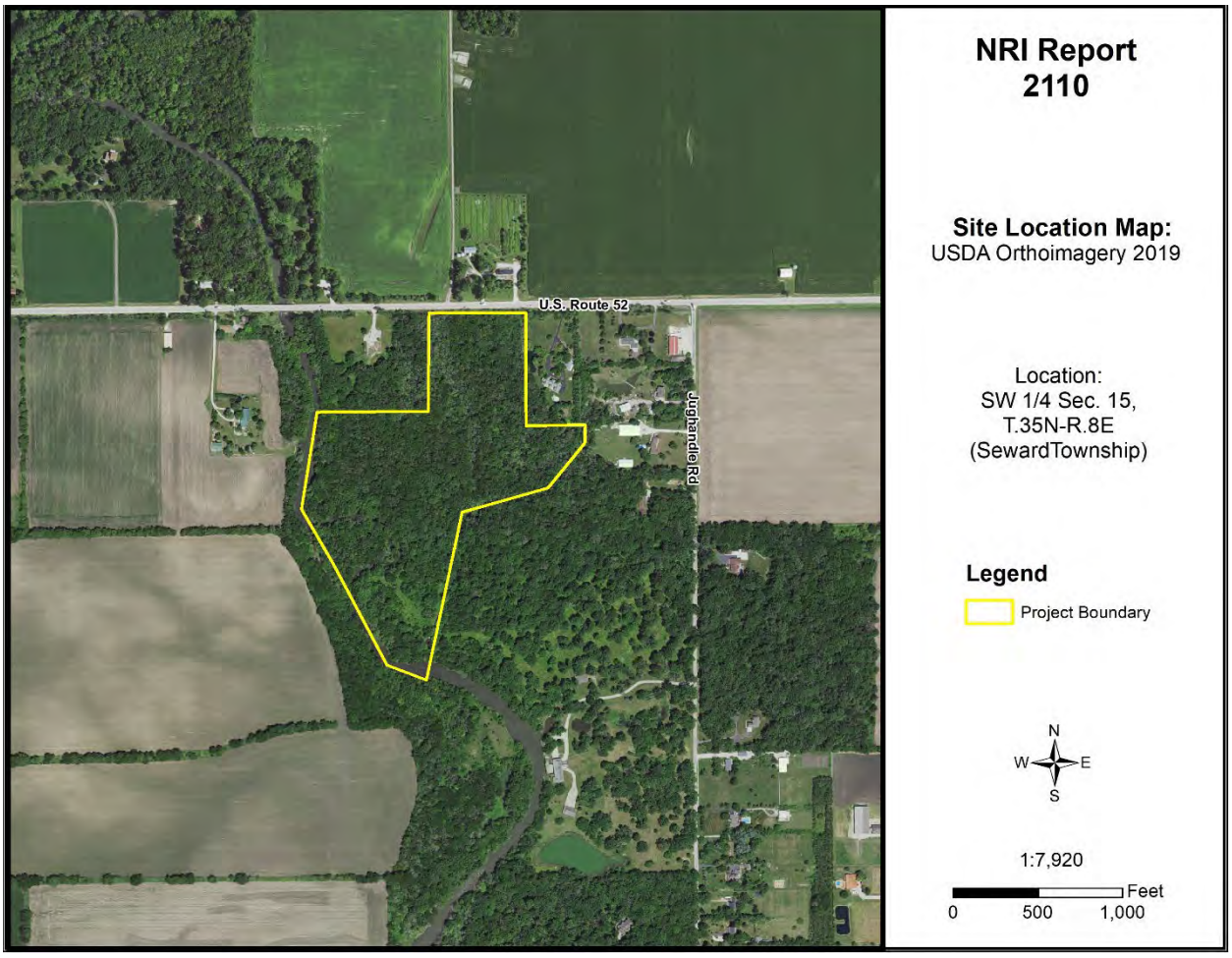


Figure 4: 2019 Aerial Map with NRI Site Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency has not been notified of the proposed land use change by the Kendall County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now" (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize, and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

Office maps indicate that ecologically sensitive area(s) <u>are</u> located near the parcel in question (PIQ). Aux Sable Creek runs through the PIQ along the west and southwest boundaries. The National Wetland Inventory identifies wetlands within the parcel boundary, and the Zone AE (100-year flood) floodway and floodplain are also within the parcel boundary according to the FEMA flood map. Additionally, Baker Woods Forest Preserve is located immediately adjacent to the PIQ on the northwest side.

[1]Taken from *<u>The Conservation of Biological Diversity</u> <u>in the Great Lakes Ecosystem: Issues and</u> <u>Opportunities</u>*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

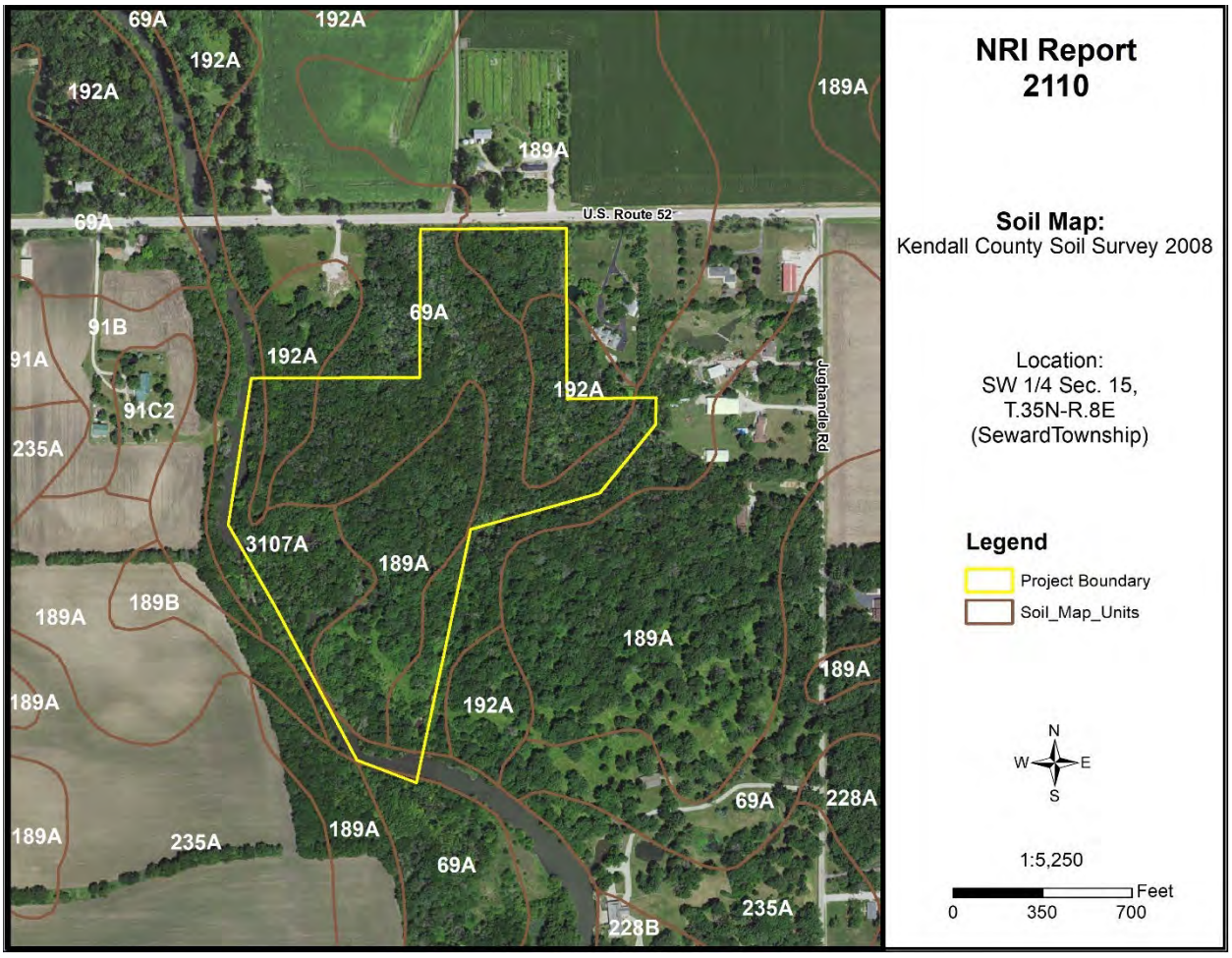


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
69A	Milford silty clay loam, 0-2% slopes	15.6	39.0%
189A	Martinton silt loam, 0-2% slopes	12.1	30.3%
189B	Martinton silt loam, 2-4% slopes	0.0	0.1%
192A	Del Rey silt loam, 0-2% slopes	4.9	12.3%
3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	7.4	18.4%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

LIMIATIONS RATINGS

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited**: This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited**: This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

Dwellings with Basements – Ratings are for undisturbed soil for a building structure of less than 3 stories with a basement. The foundation is assumed to be spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Dwellings without Basements – Ratings are for undisturbed soil for a house of three stories or less than 3 stories without a basement. The foundation is assumed to be spread footings of reinforced concrete at a depth of 2 feet or the depth of maximum frost penetration, whichever is deeper. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Shallow Excavations – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

Lawns and Landscaping – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

Onsite Sewage Disposal – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. The table below indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department – Environmental Health at (630) 553-9100 x8026.

Table 4: Building Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns & Landscaping	Onsite Conventional Sewage Systems	Acres	%
69A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited**: Ponding; Depth to saturated zone; Unstable excavation walls; Dusty; Too clayey	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Unsuitable:** Wet	15.6	39.0%
189A	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	12.1	30.3%
189B	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	0.0	0.1%
192A	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls; Too clayey	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	4.9	12.3%
3107A	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Dusty	**Unsuitable:** Frequently flooded	7.4	18.4%
% Very Limited	**100%**	**100%**	**100%**	**57.4%**	**57.4%**		

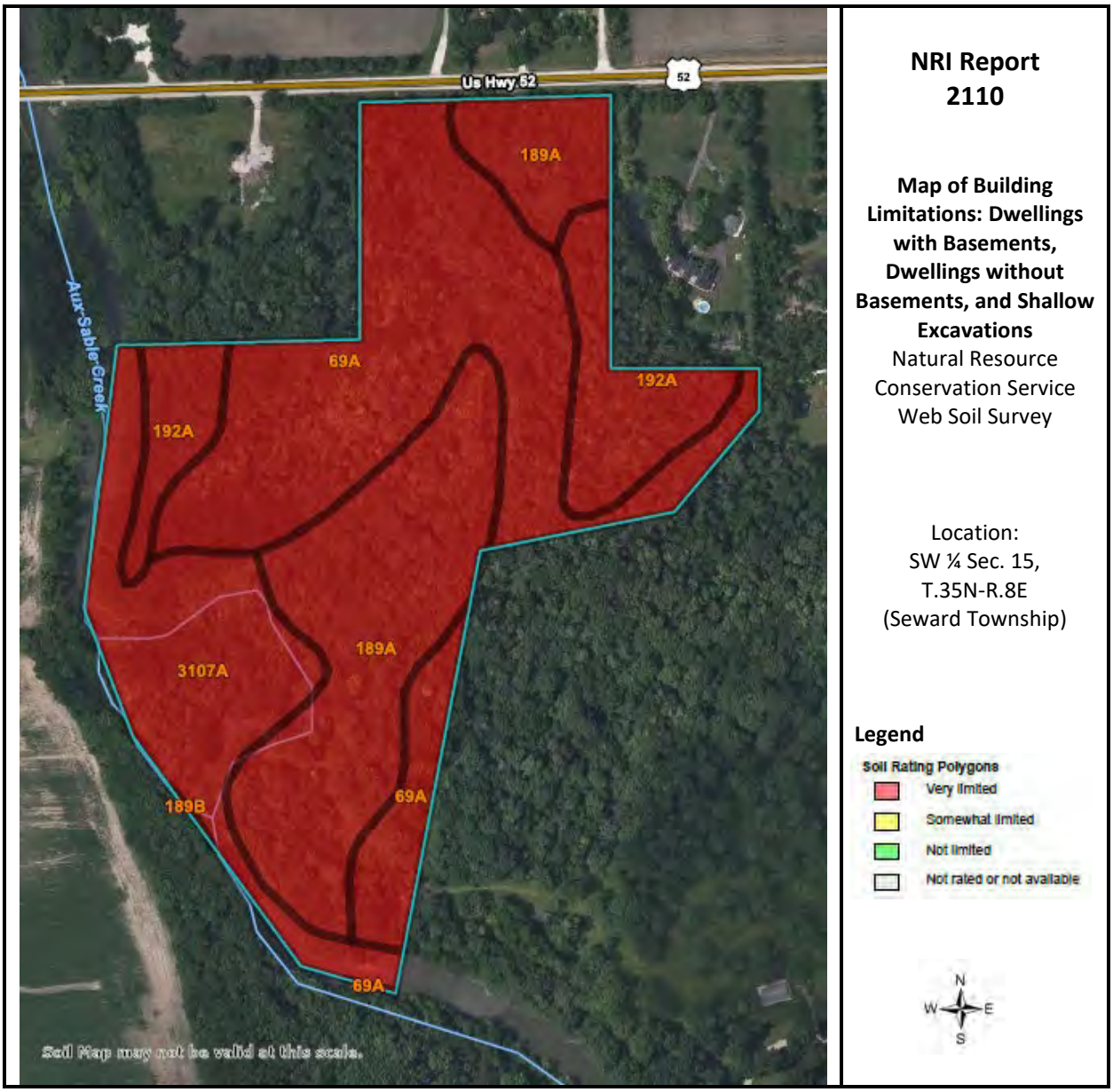


Figure 6A: Map of Building Limitations – Dwellings with Basements, Dwellings without Basements, and Shallow Excavations

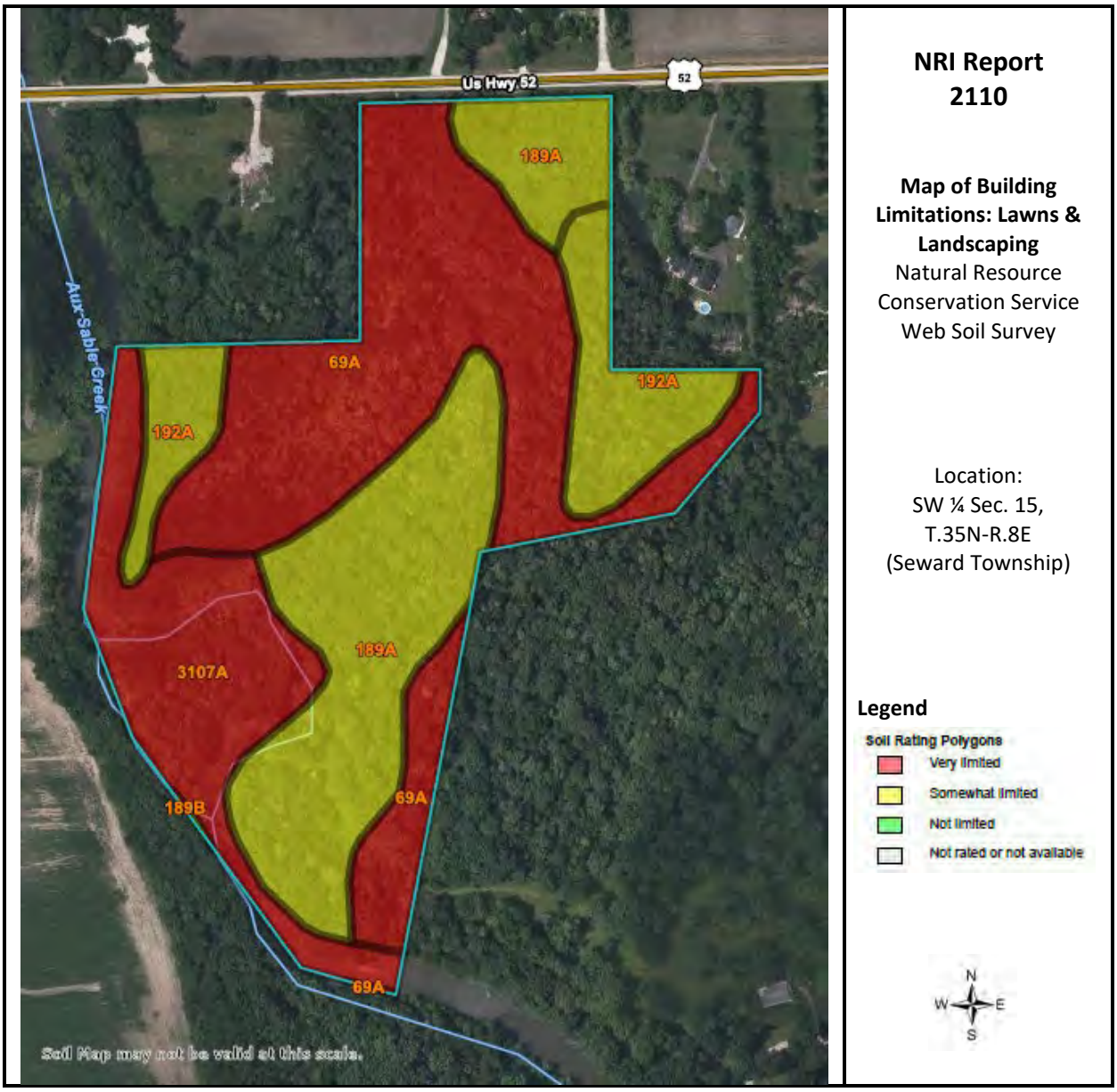


Figure 6B: Map of Building Limitations – Lawns & Landscaping

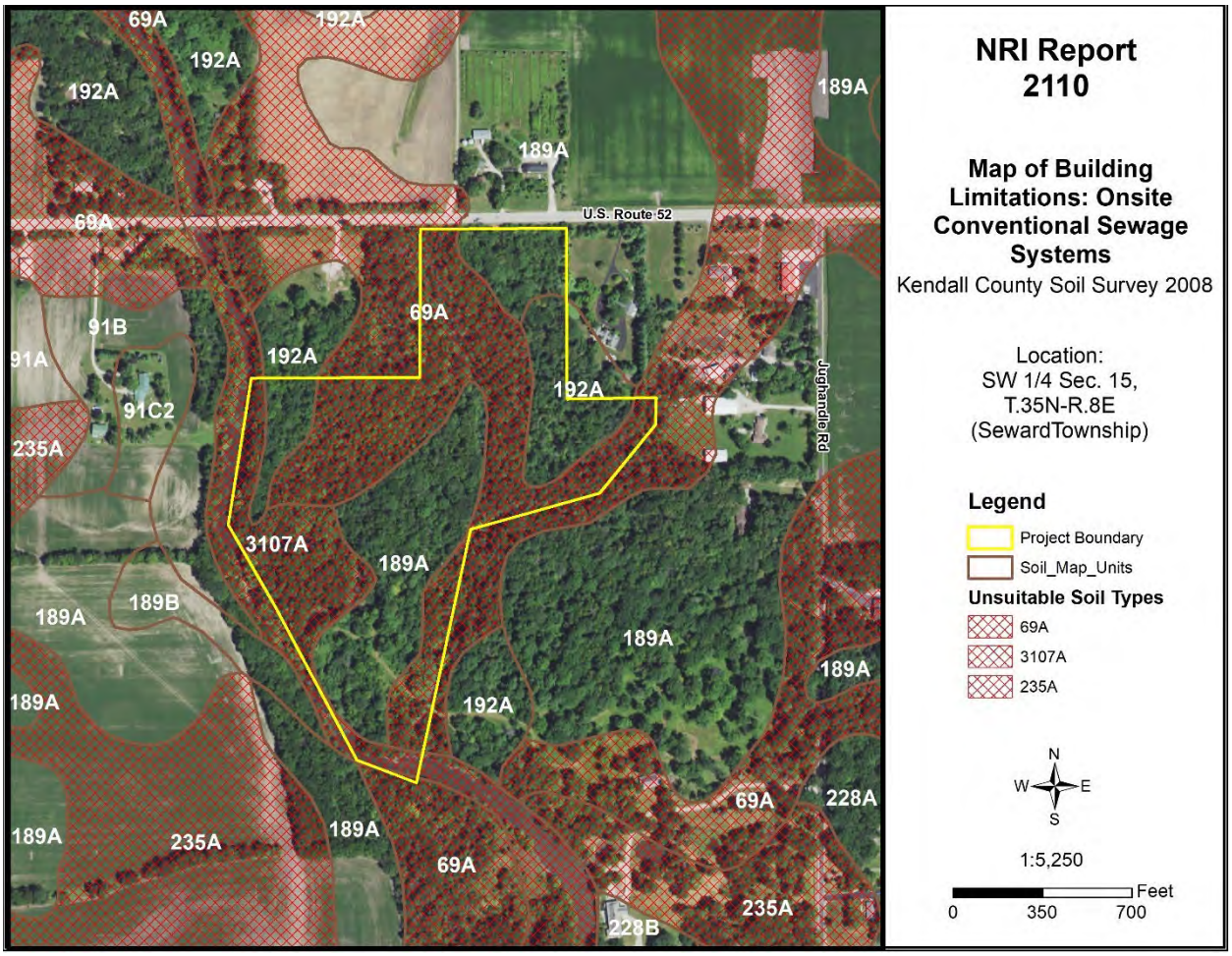


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage System

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

HYDROLOGIC SOIL GROUPS (HSGs) – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

SURFACE RUNOFF – Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

WATER TABLE – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

PONDING – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

FLOODING – The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 5: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
69A	C/D	Negligible	January – May **Upper Limit:** 0.0'-1.0' **Lower Limit:** 6.0' June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0'-0.5' **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
189A	C/D	Low	January – May **Upper Limit:** 1.0'-2.0' **Lower Limit:** 6.0' June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
189B	C/D	Medium	January – May **Upper Limit:** 1.0'-2.0' **Lower Limit:** 6.0' June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
192A	C/D	Medium	January – May **Upper Limit:** 0.5'-2.0' **Lower Limit:** 2.0'-4.5' June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
3107A	B/D	Negligible	January – May **Upper Limit:** 0.0'-1.0' **Lower Limit:** 6.0' June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0'-0.5' **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – June **Duration**: Brief (2 to 7 days) **Frequency**: Frequent July – October **Duration**: -- **Frequency**: None November – December **Duration**: Brief (2 to 7 days) **Frequency**: Frequent

SOIL EROSION AND SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

Slope has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing or diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby.

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
69A	0-2%	Slight	15.6	39.0%
189A	0-2%	Slight	12.1	30.3%
189B	2-4%	Slight	0.0	0.1%
192A	0-2%	Slight	4.9	12.3%
3107A	0-2%	Slight	7.4	18.4%

PRIME FARMLAND SOILS

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soils map units on the parcel reflect the determination that urban or built up land on prime farmland soils is not prime farmland.

Table 7: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
69A	Prime Farmland if drained	15.6	39.0%
189A	Prime Farmland	12.1	30.3%
189B	Prime Farmland	0.0	0.1%
192A	Prime Farmland if drained	4.9	12.3%
3107A	Prime Farmland if drained	7.4	18.4%
% Prime Farmland	**100%**		

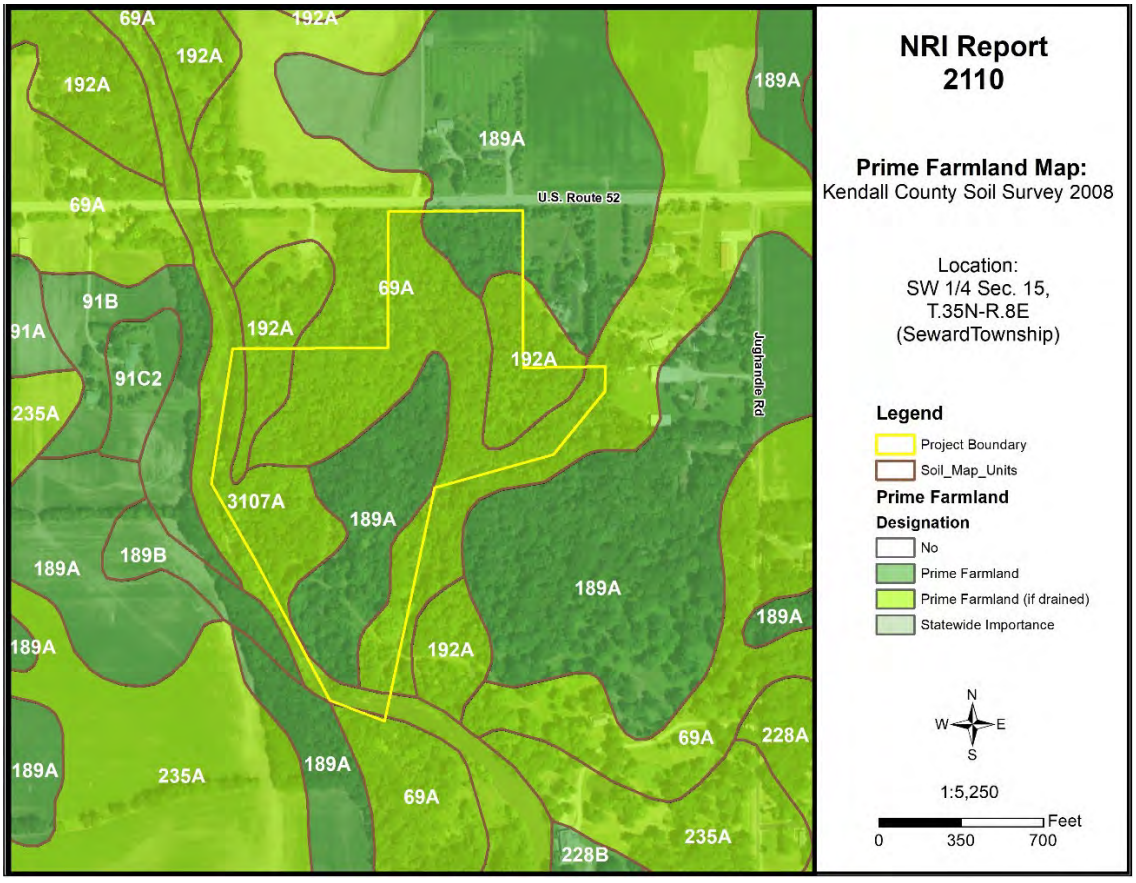


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

LAND EVALUATION (LE)

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA)

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Please Note: A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
69A	3	87	15.6	1357.2
189A	2	94	12.1	1137.4
189B	3	87	0.0	0.0
192A	4	79	4.9	387.1
3107A	3	87	7.4	643.8
Totals			**40.1**	**3525.5**
LE Calculation			(Product of relative value / Total Acres) 3525.5 / 40.1 = 87.92	
LE Score			**LE = 88**	

The Land Evaluation score for this site is 88, indicating that this site is designated as prime farmland that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	0
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	15
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	10
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	15
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	15
	4. Distance from fire protection service. (10-8-6-2-0)	10
	Site Assessment Score:	**101**

The Site Assessment score for this site is 101. The Land Evaluation value (88) is added to the Site Assessment value (101) to obtain a LESA Score of 189. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

Land Evaluation Value: 88 + **Site Assessment Value:** 101 = **LESA Score: 189**

The LESA Score for this site is 189 which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

LAND USE PLANS

Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact the Kendall County Planning, Building & Zoning for information regarding the County's comprehensive land use plan and map.

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

WHAT IS A WATERSHED?
Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked "○" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

FIRM is the acronym for the Flood Insurance Rate Map, produced by the Federal Emergency Management Agency (FEMA). These maps define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. (This is to correctly determine the parcel location and floodplain location.) The FIRM map has three (3) zones. Zone A includes the 100-year flood, Zone B or Zone X (shaded) is the 100 to 500-year flood, and Zone C or Zone X (unshaded) is outside the floodplain.

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

This parcel is located on gradual topography (slopes 0 to 4%) with an elevation of approximately 570' above sea level. According to the FIRM map, the parcel in question contains Zone AE (100-year flood) floodway and floodplain. The parcel drains south/southwest towards Aux Sable Creek.

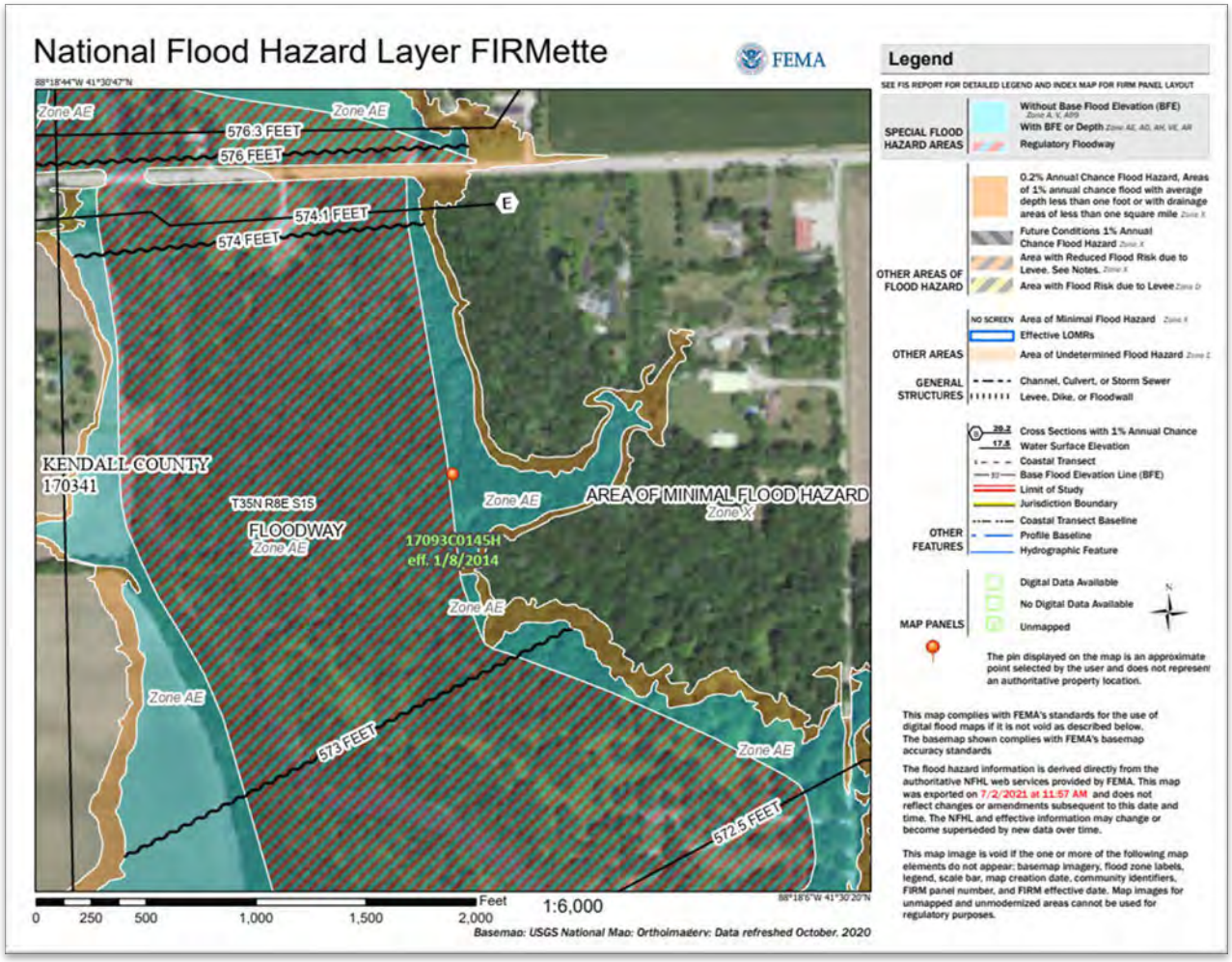


Figure 8: FEMA Floodplain Map

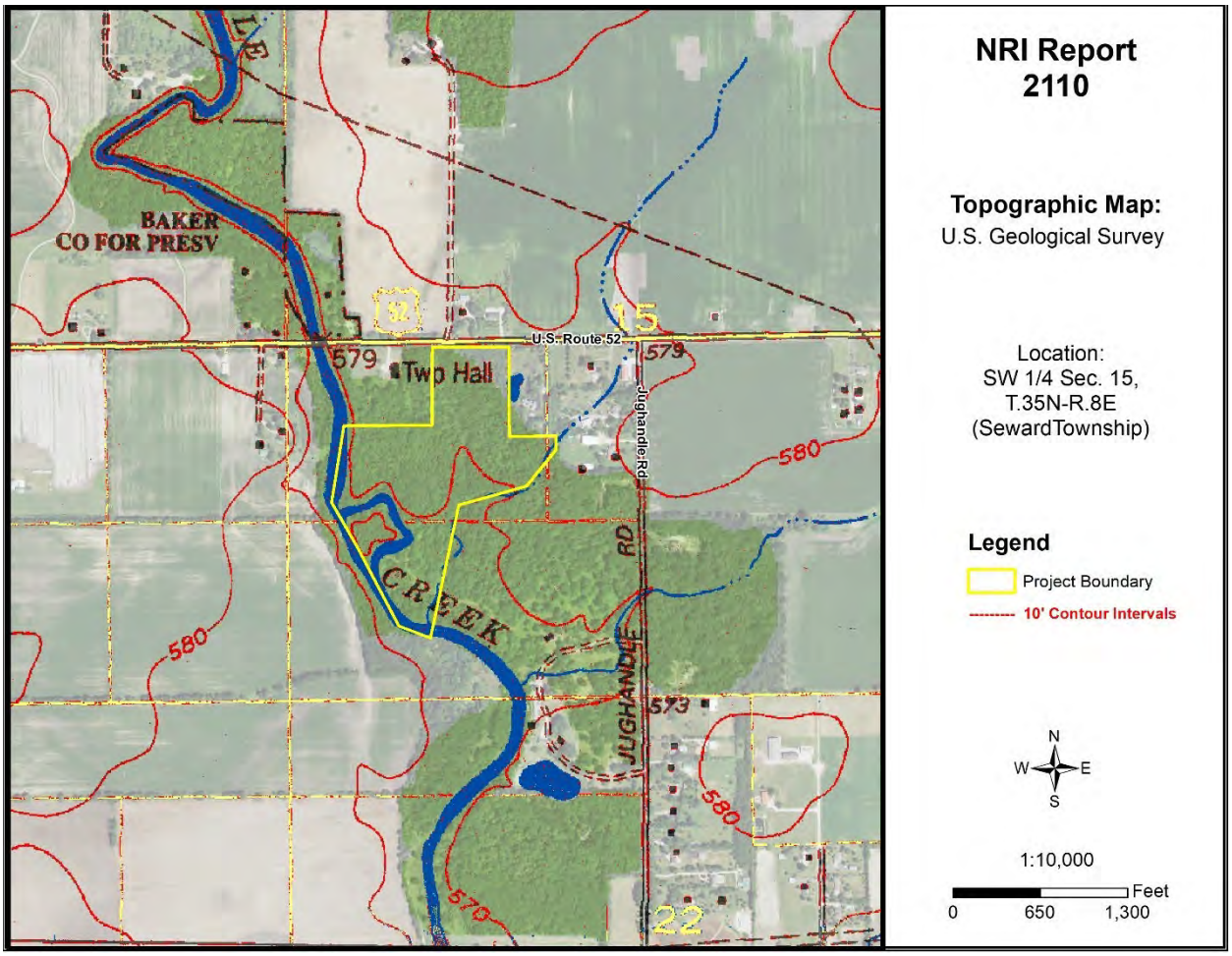


Figure 9: USGS Topographic Map

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

- Preserve open space
- Maintain wetlands as part of development
- Use natural water management
- Prevent soil from leaving a construction site
- Protect subsurface drainage
- Use native vegetation
- Retain natural features
- Mix housing styles and types
- Decrease impervious surfaces
- Reduce area disturbed by mass grading
- Shrink lot size and create more open space
- Maintain historical and cultural resources
- Treat water where it falls
- Preserve views
- Establish and link trails

This parcel is located within the Upper Illinois River Watershed and the Minooka Branch Aux Sable Creek Sub Watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the NRCS (Natural Resources Conservation Service) Wetlands Inventory, which is the most comprehensive inventory to date. The NRCS Wetlands Inventory is reproduced from an aerial photo at a scale of 1" equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The NRCS Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of "delineation" and "determination.*

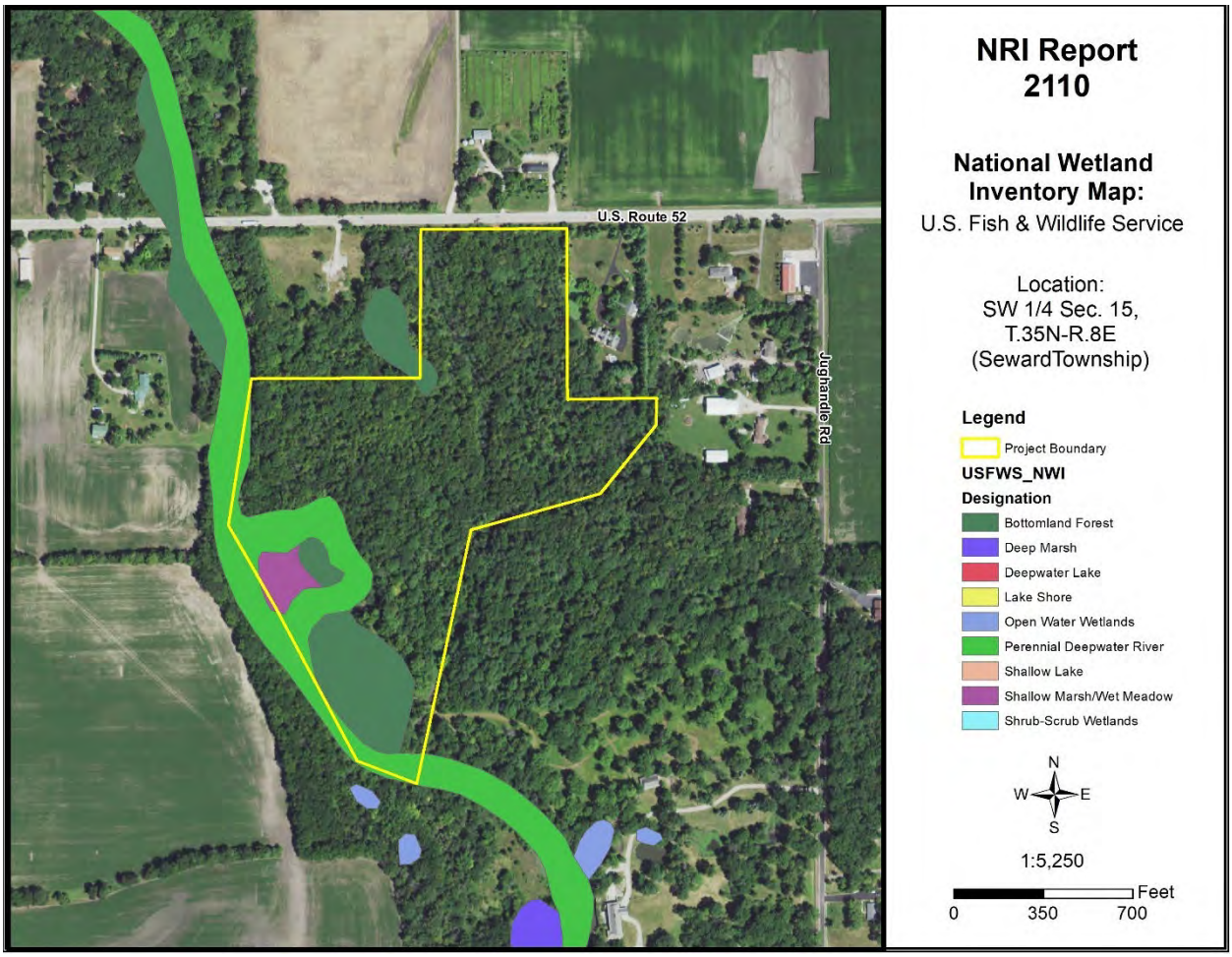


Figure 10: Wetland Map – USFWS National Wetland Inventory

Office maps indicate that mapped wetlands are present on the parcel in question (PIQ). The PIQ contains Bottomland Forest Wetlands, a Shallow Marsh/Wet Meadow, and a Perennial Deepwater River (Aux Sable Creek) according to the National Wetland Inventory Map.

HYDRIC SOILS

Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, such as a subdivision, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
69A	Poorly Drained	Hydric	No	15.6	39.0%
189A	Somewhat Poorly Drained	Non-Hydric	Yes	12.1	30.3%
189B	Somewhat Poorly Drained	Non-Hydric	Yes	0.0	0.1%
192A	Somewhat Poorly Drained	Non-Hydric	Yes	4.9	12.3%
3107A	Poorly Drained	Hydric	No	7.4	18.4%

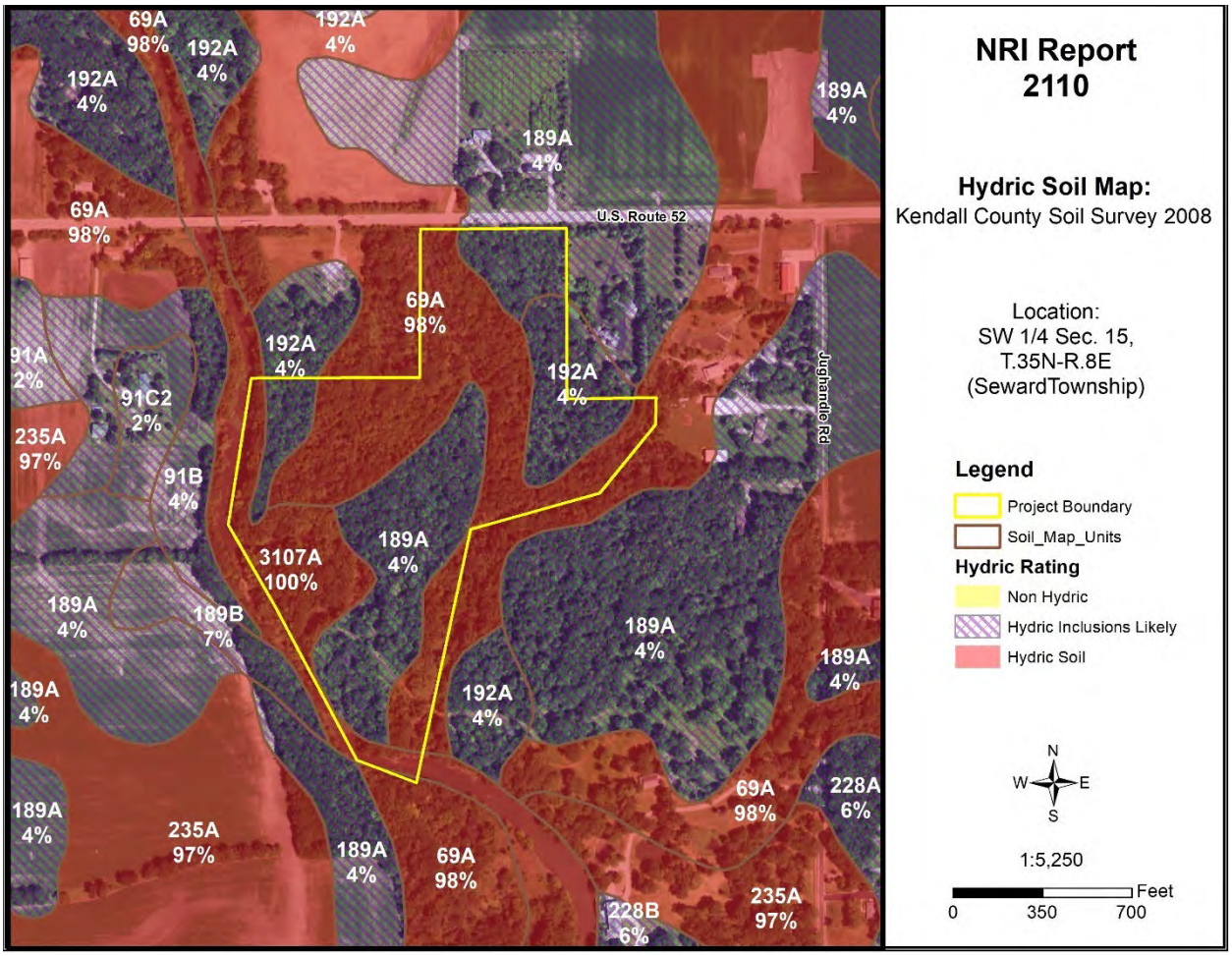


Figure 11: Hydric Soil Map

WETLAND AND FLOODPLAIN REGULATIONS

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

WHO MUST APPLY?

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

REGULATORY AGENCIES

- **Wetland or U.S. Waters**: U.S. Army Corps of Engineers, Rock Island District, Clock Tower Building, Rock Island, IL
- **Floodplains**: Illinois Department of Natural Resources/Office of Water Resources, Natural Resources Way, Springfield, IL 62702-1270.
- **Water Quality/Erosion Control**: Illinois Environmental Protection Agency, Springfield, IL

COORDINATION

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbor Act of 1899 or Section 404 of the Federal Water Pollution Control Act are subject to fines ranging up to $27,500 per day of violation and imprisonment for up to one year or both.

GLOSSARY

AGRICULTURAL PROTECTION AREAS (AG AREAS) - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

AGRICULTURE - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

B.G. - Below Grade. Under the surface of the Earth.

BEDROCK - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

FLOODING - Indicates frequency, duration, and period during year when floods are likely to occur.

HIGH LEVEL MANAGEMENT - The application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high-quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses -- within limits imposed by weather.

HIGH WATERTABLE - A seasonal high watertable is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Watertable, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Watertable, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Watertable, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

DELINEATION - For Wetlands: A series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

DETERMINATION - A polygon drawn on a map using map information that gives an outline of a wetland.

HYDRIC SOIL - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

INTENSIVE SOIL MAPPING - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.) - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

MODERN SOIL SURVEY - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

PALUSTRINE - Name given to inland freshwater wetlands.

PERMEABILITY - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ - Parcel in question

POTENTIAL FROST ACTION - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated

with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

PRODUCTIVITY INDEXES - Productivity indexes for grain crops express the estimated yields of the major grain crops grown in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state. This group of soils is composed of the Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn and Joy soils. Each of the 425 soils found in Illinois are found in Circular 1156 from the Illinois Cooperative Extension Service.

SEASONAL - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

SHRINK-SWELL POTENTIAL - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

SOIL MAPPING UNIT - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

SOIL SERIES - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

SUBSIDENCE - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

TERRAIN - The area or surface over which a particular rock or group of rocks is prevalent.

TOPSOIL - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

WATERSHED - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

WETLAND - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

REFERENCES

Hydric Soils of the United States. USDA Natural Resources Conservation Service, 2007.

DFIRM – Digital Flood Insurance Rate Maps for Kendall County. Prepared by FEMA – Federal Emergency Management Agency.

Hydrologic Unit Map for Kendall County. Natural Resources Conservation Service, United States Department of Agriculture.

Land Evaluation and Site Assessment System. The Kendall County Department of Planning Building and Zoning, and The Kendall County Soil and Water Conservation District. In cooperation with: USDA, Natural Resources Conservation Service.

Soil Survey of Kendall County. United States Department of Agriculture 2008, Natural Resources Conservation Service.

Illinois Urban Manual. Association of Illinois Soil & Water Conservation Districts, 2020.

Kendall County Land Atlas and Plat Book. 21st Edition, 2021.

Potential For Contamination of Shallow Aquifers from Land Burial of Municipal Wastes. Illinois State Geological Survey.

Natural Resources Conservation Service National Wetland Inventory Map. United States Department of Agriculture.

Geologic Road Map of Illinois. Department of Natural Resources, Illinois State Geological Survey, Natural Resources Building, 615 East Peabody, Champaign IL 61820-6964.

Wetlands - The Corps of Engineers' Administration of the Section 404 Program (GAO/RCED-88-110).

Soil Erosion by Water - United States Department of Agriculture Natural Resources Conservation Service. Agriculture Information Bulletin 513.

The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
August 3, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS (Arrived at 9:02 a.m.)
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Dan Kramer

PETITIONS

Petition 21-27 Paul Kovacevich on Behalf of Tri-Star Development, Inc.
Mr. Asselmeier summarized the request.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning approximately seven point two (7.2) acres property from A-1 to R-1 in order to construct one (1) house on the subject property.

At the time of application submittal, the subject property was part of a larger parcel that was approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

Ms. Briganti arrived at this time (9:02 a.m.).

The application materials, aerial of the entire property in its configuration at the time of application submittal, aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands were provided.

The property was on the south side of Route 52 across from 2735 Route 52.

The existing land use was Agricultural/Wooded.

The Future Land Use Map called for this area to be Rural Residential.

U.S. 52 was a State maintained arterial.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south and southeast sides of the property. There was also palustrine (freshwater forested shrub) and riverine wetlands on the south and southeast sides of the property.

The adjacent land uses were Agricultural Farmstead/Special Use for Products Not Grown on the Premises, Wooded, Single-Family Residential, and the Baker-Woods Forest Preserve.

The adjacent zoning districts were A-1, A-1 SU, and R-1.

The Land Resource Management Plan called for the area to be Rural Residential and Forest Preserve.

The zoning districts within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsmen's quarters.

EcoCAT Report submitted and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (Moxostoma valenciennesi).

The application for NRI was submitted on June 25, 2021. The LESA Score was 189 indicating a low level of protection.

Petition information was sent to Seward Township on July 7, 2021.

Petition information was sent to the Village of Shorewood on July 7, 2021.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

The Petitioner desired to rezone the subject property in order to build one (1) house on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 52. Staff had no concerns regarding the ability of Route 52 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Dan Kramer, Attorney for the Petitioner, explained the reason for rezoning and noted the limitations of building a house on the property. He noted that Seward Township and Shorewood have not responded to his request for comments.

Mr. Rybski asked if this proposal was going to be a subdivision. Mr. Kramer responded no, it would be a Plat Act split.

Mr. Rybski noted that the lot could have difficulty supporting a traditional septic system.

Discussion occurred regarding building a home on the portion of the property that remained zoned A-1. One (1) house could be placed on the portion of the property zoned A-1.

Ms. Olson requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. She requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. She noted that the entire parcel has issues related to having a residential home on the property. She also suggested having a wetland delineation.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the proposal.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on August 25, 2021.

PUBLIC COMMENT

Mr. Asselmeier reported that at least one (1) application for a special use permit for a landscaping business will be on the September agenda.

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
AUGUST 3, 2021

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)
Dr. Kramer	[redacted]	21+27 +24+28

SEWARD TOWNSHIP PLAN COMMISSION MINUTES

August 12, 2021

The Seward Township Plan Commission met on August 12, 2021 at 7:00 p.m. at the Seward Town Hall. Members present included Jessica Nelsen, Anne Vickery and Suzanne Casey. Jill Prodehl and Joan Soltwisch were unable to attend. Following the pledge to the flag and approval of the May 13, 2021 minutes, a presentation by Attorney Dan Kramer on behalf of two clients/petitioners began.

Petition 21-27 (Paul Kovacevich/Tri-Star Development) is requesting a map amendment from A-1 to R-1. (PIN 09-15-300-020) Discussion included any flood plain issues/wetland studies, any conservation concerns re: a future trail system that might be placed along the AuxSable Creek, and the parties' awareness of home construction issues in such parcels. The bulk of the parcel will remain in Agricultural, with this one parcel allowing family to build a home. Following discussion that satisfied any concerns, Anne Vickery moved approval, seconded by Suzanne Casey, with motion passing.

Petition 21-28(Brian and Jennifer Gore) is also requesting a rezoning from A-1 to R-1 for purposes of building homes on potentially 2 lots, again by family members.(PIN 09-15-300-021). This parcel has ample property to allow two homes to be built on high and dry land. Again the major portion of the parcel will remain A-1. After discussion, Suzanne Casey moved approval, seconded by Anne Vickery.

Under Old Business, a review of recently approved projects revealed that the T&Z Landscape Business on Rt. 52 near County Line Road seemed to have complied with all requests and has an attractive business operation. There was also discussion of growing mounds of dirt at the corner of Rt. 52 and County Line,(northwest side), with explanation from Dan Kramer that some parties had been dumping without permission for some time, and were finally terminated recently. Now piles of dirt need to be removed in order for the Sports Dome construction to proceed.

Further old business included the Sports Dome to be constructed on County Line just north of Route 52, with Dan Kramer able to report that construction is beginning and will include the Sports Dome in the back/west, 4 seasons storage in the middle, (67,000 sq. ft. of storage), and several business opportunities, (i,e,, a strip mall), in the front/east side.

The Doggie Day Care at the corner of Bell and Ridge Road had no significant updates, but seems on target for opening in the Fall, 2021.(proposal previously reviewed by this committee).

Under New business, beyond the approval of the petitions described above, the group discussed a routine meeting time. Previously, meetings had occurred prior to the monthly Township Board meetings at 7:30-2nd Tuesday of the month. Further discussion including other committee members will occur to assure a time when all can participate with ample time for agenda items to occur.

Page Two-Seward Township Plan Commission

Anne Vickery reported that she had stopped to see Matt Asselmeier and had a conversation with him regarding issues with businesses that are operating in the Township, some without a special use permit from the Kendall County Board. This will be an ongoing topic of this committee's work moving forward.

Finally, the Seward Plan Commission will discuss further a Vision/Plan for the Township moving forward that results in desirable outcomes for the township as it grows. More discussion to occur on this topic. With that template, reviewing proposals will be viewed against the most desirable future in the township.

The meeting adjourned at 8:05 p.m.

Minutes submitted by Suzanne Casey

August 15, 2021

Matt Asselmeier

From: Engel_Natalie <nengel@vil.shorewood.il.us>
Sent: Friday, August 20, 2021 12:10 PM
To: Matt Asselmeier; Chrisse_Kelley
Subject: [External]RE: Kendall County Petitions 21-27 and 21-28 Question

Hello Matt,

The proposal is consistent with our comprehensive plan. We do not have any concerns or comments to share on this project.

Thank you for reaching out.

Natalie Engel, AICP
Village Planner
Shorewood
ILLINOIS
Village of Shorewood
One Towne Center Blvd | Shorewood, IL 60404
815.553.2314

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Monday, August 16, 2021 9:26 AM
To: Chrisse_Kelley <kchrisse@vil.shorewood.il.us>; Engel_Natalie <nengel@vil.shorewood.il.us>
Subject: Kendall County Petitions 21-27 and 21-28 Question

Natalie and Kelley:

Will the Village of Shorewood be submitting comments regarding the Tri-Star and Gore rezoning requests?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of August 25, 2021 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:03 p.m.

ROLL CALL
Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Larry Nelson, Ruben Rodriguez, and Claire Wilson
Members Absent: Dave Hamman, Karin McCarthy-Lange, Bob Stewart, and Seth Wormley
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Dan Kramer

PETITIONS
Petition 21 – 27 – Paul Kovacevich on Behalf of Tri-Star Development, Inc.
Mr. Asselmeier summarized the request.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning approximately seven point two (7.2) acres property from A-1 to R-1 in order to construct one (1) house on the subject property.

At the time of application submittal, the subject property was part of a larger parcel that was approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

The application materials, aerial of the entire property in its configuration at the time of application submittal, aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands were provided.

The property was on the south side of Route 52 across from 2735 Route 52.

The existing land use was Agricultural/Wooded.

The Future Land Use Map called for this area to be Rural Residential.

U.S. 52 was a State maintained arterial.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south and southeast sides of the property. There was also palustrine (freshwater forested shrub) and riverine wetlands on the south and southeast sides of the property.

The adjacent land uses were Agricultural Farmstead/Special Use for Products Not Grown on the Premises, Wooded, Single-Family Residential, and the Baker-Woods Forest Preserve.

The adjacent zoning districts were A-1, A-1 SU, and R-1.

The Land Resource Management Plan called for the area to be Rural Residential and Forest Preserve.

The zoning districts within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsmen's quarters.

EcoCAT Report submitted and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (Moxostoma valenciennesi). Adverse impacts were considered unlikely and consultation was terminated.

The application for NRI was submitted on June 25, 2021. The LESA Score was 189 indicating a low level of protection. The NRI was provided.

Petition information was sent to Seward Township on July 7, 2021. The Seward Township Planning Commission reviewed this proposal on August 12, 2021, and recommended approval by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on July 7, 2021. The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding the proposal. The email was provided.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC reviewed this proposal at their meeting on August 3, 2021. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting were provided.

The Petitioner desired to rezone the subject property in order to build one (1) house on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Route 52. Staff had no concerns regarding the ability of Route 52 to support the proposed map amendment.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Member Rodriguez asked where the house would be located on the rezoned portion of the property. Mr. Asselmeier provided the setbacks for the R-1 District. Dan Kramer, Attorney for the Petitioner, stated the house would be closer to the front (north) side of the property and closer to the adjoining house.

Mr. Kramer noted the location of the wetlands in relation to the proposed house site.

Member Wilson asked if there were separate legal descriptions for the portion of the property that would retain the A-1 zoning and the portion of the property that would be rezoned to R-1. Mr. Kramer responded yes. Mr. Kramer noted that the legal description that was published was just for the proposed R-1 zoned portion of the property.

Mr. Asselmeier explained how the forty (40) acre allocation system worked. In this case, the Petitioner secured an A-1 allocation prior to submitting the rezoning request and the proposed division of land.

Mr. Kramer noted that the Petitioner desires to sell the property. The Petitioner does not desire to construct houses on either portions of the property for themselves.

Mr. Kramer noted that a golf course had been previously proposed for the property and the Illinois Department of Natural Resources (IDNR) had concerns regarding the previous proposal. Mr. Kramer believed that IDNR did not have such concerns for the rezoning proposal because the impact of two (2) houses would have minimal impact on the nearby floodplain and wetlands.

Member Nelson made a motion, seconded by Member Rodriguez, to recommend approval of the Petition.

The votes were as follows:
Ayes (6): Ashton, Bledsoe, Casey, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (4): Hamman, McCarthy-Lange, Stewart, and Wormley
Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on August 30, 2021.

ADJOURNMENT
Member Wilson made a motion, seconded by Member Bledsoe, to adjourn. With a voice of six (6) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 7:49 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
AUGUST 25, 2021

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 Kunz 21-27	[redacted]	
21-28		

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
August 30, 2021 – 7:00 p.m.

CALL TO ORDER
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:
Members Present: Scott Cherry, Karen Clementi, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield
Members Absent: Cliff Fox
Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner
Others Present: Dan Kramer

MINUTES:
Member Whitfield made a motion, seconded by Member Clementi, to approve the minutes of the August 2, 2021 hearing/meeting.

With a voice vote of six (6) ayes, the motion carried.

Without objection, the Board decided to combine Petitions 21-27 and 21-28.

Chairman Mohr swore in Dan Kramer.

PETITIONS
The Zoning Board of Appeals started their review of Petitions 21-27 and 21-28 at 7:01 p.m.

Petition 21 – 27 – Paul Kovacevich on Behalf of Tri-Star Development, Inc.

Request:	Map Amendment Rezoning the Northeast 7.266 Acres of the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN:	09-15-300-020
Location:	South Side of Route 52 Across the Street from 2735 Route 52 in Seward Township
Purpose:	Petitioner Wishes to Rezone the Property in Order to Construct One House

Petition 21 – 28 – Brian and Jennifer Gore

Request:	Map Amendment Rezoning the Eastern 12.671 Acres of the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN:	09-15-300-021
Location:	West Side of Jughandle Road Across the Street from 14776 Jughandle Road in Seward Township
Purpose:	Petitioner Wishes to Rezone the Property in Order to Construct Two Houses

Mr. Asselmeier summarized the requests.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning approximately seven point two (7.2) acres property from A-1 to R-1 in order to construct one (1) house on the subject property.

At the time of application submittal, the subject property was part of a larger parcel that was approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

The application materials, aerial of the entire property in its configuration at the time of application submittal, aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands were provided.

The property was on the south side of Route 52 across from 2735 Route 52.

Brian and Jennifer Gore are requesting a map amendment rezoning approximately twelve point six (12.6) more or less acres from A-1 to R-1 in order to construct two (2) houses on the subject property after rezoning.

At the time of application submittal, the subject property was part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. Tract 3, which was approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 was approximately seven (7) acres in size. Tract 2 was approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The application materials, the aerial of the entire property in its configuration at the time of application submittal, the aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands was provided.

The property was located on the west side of Jughandle Road across from 14776 Jughandle Road.

The existing land uses were Agricultural/Wooded.

The Future Land Use Map called for this area to be Rural Residential.

U.S. 52 was a State maintained arterial and Jughandle Road was a Township maintained local road.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south and southeast sides of the Tri-Star property. There was also palustrine (freshwater forested shrub) and riverine wetlands on the south and southeast sides of the property.

There was a 100-year floodplain of the Aux Sable Creek on the south side of the Gore property. Approximately, 4.8 acres of Tract 1 and 3.0 acres of Tract 2 were outside the 100-year floodplain. There was a riverine on the southeast corner of the property.

The adjacent land uses were Agricultural Farmstead/Special Use for Products Not Grown on the Premises, Wooded, Single-Family Residential, and the Baker-Woods Forest Preserve.

The adjacent zoning districts were A-1, A-1 SU, and R-1.

The Land Resource Management Plan called for the area to be Rural Residential and Forest Preserve.

The zonings within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD, and R-3.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsmen's quarters.

EcoCAT Report submitted for both properties and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (Moxostoma valenciennesi). Adverse impacts were considered unlikely and consultation was terminated.

The LESA Score for the Tri-Star property was 189 indicating a low level of protection. The LESA Score for the Gore property was 191 indicating a low level of protection. The NRIs were provided.

The Seward Township Planning Commission reviewed the proposals on August 12, 2021, and recommended approval of both Petitions by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting were provided.

The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding either proposal. The email was provided.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC reviewed the proposals at their meeting on August 3, 2021. The comments on both proposals were the same. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposals at their meeting on August 25, 2021. The Kendall County Regional Planning Commission recommended approval of both proposals by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite at either property.

Staff had no concerns regarding the ability of Route 52 or Jughandle Road to support the proposed map amendments.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact for the Tri-Star Petition were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest

classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

The proposed Findings of Fact for the Gore Petition were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendments because the proposals were consistent with the Land Resource Management Plan.

Member Cherry asked if the housing locations were currently wooded. Mr. Asselmeier responded that all housing sites presently were wooded.

Mr. Asselmeier identified which areas on the aerials were floodplains and wetlands.

Chairman Mohr asked if the proposals were feasible. Mr. Asselmeier responded that the housing locations would be tight. In the case of both Petitions, the side yard setbacks for both the A-1 and R-1 zoned areas was fifty feet (50'). In the case of the Tri-Star proposal, the houses would be roughly one hundred feet (100') feet apart near the north side of the property because of the location of the floodplain.

Chairman Mohr asked why the Petitioners in the Tri-Star case were not giving up the agricultural allocation. Mr. Asselmeier responded that it appeared that Tri-Star wanted the ability to sell both properties with the ability to construct houses on both properties.

Chairman Mohr opened the public hearing at 7:09 p.m.

Dan Kramer, Attorney for the Petitioner, said that a golf course had been proposed in the area, but the floodplain and wetlands stopped that development. The owners of the Tri-Star property plan to sell the property. The Gore's plan to build one (1) house for themselves and two (2) houses for their adult children. If their children do not build, then the individual houses will not be constructed and the lots will not be sold. Brian and Jennifer Gore will build shortly.

Mr. Kramer noted that all development will be out of the floodplain and, in the case of the Gore Petition, everything, including the driveway, will be at least fifteen feet (15') from the wetland. They already have a wetland delineation. Mr. Kramer noted the location of the driveway, wetlands, and floodplain on the plat of survey.

Chairman Mohr expressed concerns about the Gore's further dividing their property in the future. Mr. Kramer said that the rest of the Gore property was difficult to build because of the location of the floodplain. Map amendments cannot be conditioned.

Chairman Mohr closed the public hearing at 7:15 p.m.

Member Clementi made a motion, seconded by Member LeCuyer, to approve the Findings of Fact for the Tri-Star Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Member LeCuyer made a motion, seconded by Member Thompson, to recommend approval of the requested map amendment for the Tri-Star Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Member Clementi made a motion, seconded by Member LeCuyer to approve the Findings of Fact for the Gore Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Member LeCuyer made a motion, seconded by Member Whitfield, to recommend approval of the requested map amendment for the Gore Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Seward Township and the Village of Shorewood will be notified of the results of the public hearing. Since both entities recommended approval of both Petitions, both proposals will go to the Kendall County Planning, Building and Zoning Committee on Monday, September 13, 2021.

The Zoning Board of Appeals completed their review of Petitions 21-27 and 21-28 at 7:18 p.m.

NEW BUSINESS/OLD BUSINESS
None

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD
Mr. Asselmeier reported that Petition 21-24 was approved at the County Board.

Mr. Asselmeier reported that Petition 21-26, regarding the banquet facility on Crimmin Road was still at the Planning, Building and Zoning Committee.

PUBLIC COMMENTS
Mr. Asselmeier reported that the population of Kendall County increased to one hundred thirty-one thousand eight hundred sixty-nine (131,869). Kendall County rose from sixteenth (16^{th}) largest to fifteenth (15^{th}) largest county in Illinois. Kendall County was one (1) of fifteen (15) counties in Illinois that gained population. Kendall County was the fastest growing county in Illinois at fourteen point nine percent (14.9%).

Seward Township had the largest percentage increase in population and Bristol Township had the largest numeric increase in population. Lisbon and Big Grove Townships had population reductions.

Mr. Asselmeier said they were working with GIS to get the population numbers of the unincorporated areas in each township.

Mr. Asselmeier stated that, for the September hearing/meeting, there is a request for a special use permit for a landscaping business at 12830 Ashley Road, a request for a rezoning to B-3 and a special use permit for a landscaping business at 10744 Route 47, a request for a rezoning to build a house around the property at 800 Route 126, and a request for a special use permit and variance for a market/craft fair at 5681 Whitewillow Road.

Mr. Asselmeier also reported that the Planning, Building and Zoning Committee would be investigating text amendments to the Zoning Ordinance to address the recently passed Garden Act and Agricultural Experience Act.

Mr. Asselmeier said that the Illinois Association of County Zoning Officials would be having a virtual training session on October 1, 2021, from 9:15 a.m. to 12:30 p.m., with sessions on zoning, Americans with Disabilities Act regulations, and floodplain regulations. If anyone want to attend, they should contact Mr. Asselmeier.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member Cherry, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:26 p.m.

The next hearing/meeting will be on September 27, 2021.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Exhibits

1. Memo on Petition 21-27 Dated August 26, 2021
2. Certificate of Publication for Petition 21-27 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Memo on Petition 21-28 Dated August 26, 2021
4. Certificate of Publication for Petition 21-28 (Not Included with Report but on file in Planning, Building and Zoning Office)

KENDALL COUNTY
ZONING BOARD OF APPEALS
AUGUST 30, 2021

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Dan Kramer Atty. For 21-27 / 21-28	[redacted]	

State of Illinois
County of Kendall

Zoning Petition
#21-27

ORDINANCE NUMBER 2021-_____

MAP AMENDMENT FOR APPROXIMATELY SEVEN POINT TWO SIX ACRES OF LAND LOCATED ACROSS FROM 2735 ROUTE 52 (ON THE SOUTH SIDE OF ROUTE 52) (NORTHEAST PORTION OF PIN: 09-15-300-020) IN SEWARD TOWNSHIP

Rezone from A-1 to R-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 7.26 acres located on the south side of Route 52 across the street from 2735 Route 52 (Northeast Portion of PIN: 09-15-300-020), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property"; and

WHEREAS, the subject property is currently owned by Tri-Star Development, Inc. as represented by Paul Kovacevich hereinafter shall be referred to as "Petitioner"; and

WHEREAS, on or about June 30, 2021, Petitioner's representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 12, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 30, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 30, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

State of Illinois Zoning Petition
County of Kendall #21-27

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.

3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of September, 2021.

Attest:

_____	_____
Kendall County Clerk	Kendall County Board Chairman
Debbie Gillette	Scott R. Gryder

TRI-STAR DEVELOPMENT, INC.

EAST TRACT
PROPOSED R-1 ZONING

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE NORTH 88 DEGREES 21 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1091.99 FEET; THENCE SOUTH 01 DEGREES 38 MINUTES 24 SECONDS EAST 40.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, SAID POINT BEING THE NORTHEAST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 201000000304; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 330.00 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000000304, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE CONTINUING NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 208.70 FEET TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER, 672.16 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, A DISTANCE OF 324.16 FEET TO A POINT ON THE WEST LINE OF LANGELAND'S SUBDIVISION, SAID POINT BEING THE SOUTHEAST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, 100.00 FEET; THENCE SOUTH 37 DEGREES 15 MINUTES 59 SECONDS WEST 350.00 FEET; THENCE SOUTH 75 DEGREES 26 MINUTES 06 SECONDS WEST 316.30 FEET TO A POINT ON A LINE 330.00 FEET EAST OF AND PARALLEL WITH THE EAST LINE OF THE AFORESAID LANDS CONVEYED BY DOCUMENT NUMBER 201000000304; THENCE NORTH 01 DEGREES 38 MINUTES 24 SECONDS WEST ALONG SAID PARALLEL LINE, 1115.20 FEET TO THE POINT OF BEGINNING, IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 7.266 acres more or less.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 30, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Fox was absent.

FINDINGS OF FACT

§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to recommend in favor of the applicant on map amendment applications.

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.**

RECOMMENDATION

Approval

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

Petition 21-28
Brian and Jennifer Gore
Map Amendment Rezoning Property from A-1 to R-1

INTRODUCTION

Brian and Jennifer Gore are requesting a map amendment rezoning approximately twelve point six (12.6) more or less acres from A-1 to R-1 in order to construct two (2) houses on the subject property after rezoning.

At the time of application submittal, the subject property is part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment is approved, the Petitioner plans to divide the property using a Plat Act exemption. Tract 3, which is approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 is approximately seven (7) acres in size. Tract 2 is approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The application materials are included as Attachment 1. The aerial of the entire property in its configuration at the time of application submittal is included as Attachment 2. The aerial of the property subject to the rezoning request is included as Attachment 3. The plat of survey for the entire property is included as Attachment 4. The aerial of the entire property showing floodplains and wetlands is included as Attachment 5.

SITE INFORMATION

PETITIONER: Brian and Jennifer Gore

ADDRESS: Across Jughandle Road from 14776 Jughandle Road, Minooka

LOCATION: Approximately 0.25 Miles South of Route 52 on the West Sided of Jughandle Road

TOWNSHIP: Seward

PARCEL #: 09-15-300-021

LOT SIZE: 40.046 Acres (Total Parcel) 12.671 Acres (Proposed Rezoned Area)

EXISTING LAND USE: Agricultural/Wooded

ZONING: A-1 Agricultural District

LRMP:

Future Land Use	Rural Residential (Max 0.65 DU/Acre)
Roads	Jughandle Road is a Township maintained Local Road.
Trails	Minooka has trails planned along the Aux Sable Creek.
Floodplain/ Wetlands	There is 100-year floodplain of the Aux Sable Creek on the south side of the property. Approximately, 4.8 acres of Tract 1 and 3.0 acres of Tract 2 are outside the 100-year floodplain. There is a riverine wetland on the southeast corner of the property.

REQUESTED ACTION: Map Amendment Rezoning Property from A-1 to R-1

APPLICABLE REGULATIONS: Section 13:07 – Map Amendment Procedures

SURROUNDING LAND USE

Location	Adjacent Land Use	Adjacent Zoning	Land Resource Management Plan	Zoning within ½ Mile
North	Single-Family Residential	A-1	Rural Residential (Max 0.65 DU/Acre)	A-1, A-1 SU, and R-1
South	Single-Family Residential/Wooded	A-1	Rural Residential	A-1 and A-1 CU
East	Single-Family Residential/Wooded	A-1	Rural Residential	A-1, R-1 PUD, and R-3
West	Agricultural/Wooded	A-1 and R-1	Rural Residential	A-1 and R-1

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres.

PHYSICAL DATA

ENDANGERED SPECIES REPORT

EcoCAT Report submitted and noted the presence of the following protected resources in the vicinity:

Aux Sable Creek INAI Site
Greater Redhorse (Moxostoma valenciennesi)

Consultation was terminated because adverse effects were unlikely (see Attachment 1, Pages 11 and 12).

NATURAL RESOURCES INVENTORY

The application for NRI was submitted on June 22, 2021 (see Attachment 1, Page 10). The LESA Score was 191 indicating a low level of protection. The NRI Report is included as Attachment 6.

ACTION SUMMARY

SEWARD TOWNSHIP

Petition information was sent to Seward Township on July 7, 2021. The Seward Township Planning Commission reviewed this proposal on August 12, 2021, and recommended approval by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting are included as Attachment 8.

VILLAGE OF SHOREWOOD

Petition information was sent to the Village of Shorewood on July 7, 2021. The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding the proposal. The email is included as Attachment 9.

MINOOKA FIRE PROTECTION DISTRICT

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC
ZPAC reviewed this proposal at their meeting on August 3, 2021. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting are included as Attachment 7.

RPC
The Kendall County Regional Planning Commission reviewed this proposal at their meeting on August 25, 2021. The Kendall County Regional Planning Commission recommended approval by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting are included as Attachment 10.

ZBA
The Kendall County Zoning Board of Appeals held a public hearing on this proposal on August 30, 2021. Zero (0) members of the public testified in favor or in opposition to the request. The Kendall County Zoning Board of Appeals recommended approval by vote of six (6) in favor and zero (0) in opposition with one (1) member absent. The minutes of the hearing are included as Attachment 11.

GENERAL INFORMATION
The Petitioner desires to rezone the subject property in order to build two (2) houses on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

BUILDING CODES
Any new homes or accessory structures would be required to meet applicable building codes.

UTILITIES
No public or private utilities are onsite.

ACCESS
The property fronts Jughandle Road.

PARKING AND INTERNAL TRAFFIC CIRCULATION
Any new driveways constructed would be for residential purposes.

ODORS
No new odors are foreseen.

LIGHTING
Any new lighting would be for residential use only.

LANDSCAPING AND SCREENING
Any fencing, landscaping, or screening would be for residential purposes.

SIGNAGE
Any signage would be residential in nature.

NOISE CONTROL
No noise is anticipated.

STORMWATER
Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

FINDINGS OF FACT
§13:07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to

recommend in favor of the applicant on map amendment applications. The following findings were made by the Kendall County Zoning Board of Appeals:

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.**

RECOMMENDATION
Staff recommends approval of the proposed map amendment because the proposal is consistent with the Land Resource Management Plan.

The draft ordinance is included as Attachment 12.

ATTACHMENTS
1. Application Materials (Including the Petitioner's Findings of Fact, NRI, and EcoCat)
2. Aerial of the Larger Property
3. Aerial of the Property Subject to the Map Amendment
4. Plat of Survey for Property
5. Aerial of the Larger Property Showing Floodplains and Wetlands
6. NRI Report
7. August 3, 2021 ZPAC Minutes (This Petition Only)
8. August 12, 2021 Seward Township Planning Commission Minutes
9. August 20, 2021 Village of Shorewood Email
10. August 25, 2021 Kendall County Regional Planning Commission Minutes (This Petition Only)
11. August 31, 2021 Kendall County Zoning Board of Appeals Minutes
12. Draft Ordinance

Rezone Tract 1 and 2

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

APPLICATION

PROJECT NAME Gore Map Amendment **FILE #:**

NAME OF APPLICANT		
Brian Gore and Jennifer Gore		
CURRENT LANDOWNER/NAME(s)		
Brian Gore and Jennifer Gore		
SITE INFORMATION		
ACRES	**SITE ADDRESS OR LOCATION**	**ASSESSOR'S ID NUMBER (PIN)**
40.046	Jughandle Road, Minooka, IL 60447	09-15-300-021 & 09-22-100-018
EXISTING LAND USE	**CURRENT ZONING**	**LAND CLASSIFICATION ON LRMP**
vacant land	A-1 Agricultutral	A-1 Agricultural

REQUESTED ACTION (Check All That Apply):

___ SPECIAL USE	X MAP AMENDMENT (Rezone to R-1)	___ VARIANCE
___ ADMINISTRATIVE VARIANCE	___ A-1 CONDITIONAL USE for:	___ SITE PLAN REVIEW
___ TEXT AMENDMENT	___ RPD (___Concept; ___ Preliminary; ___ Final)	___ ADMINISTRATIVE APPEAL
___ PRELIMINARY PLAT	___ FINAL PLAT	___ OTHER PLAT (Vacation, Dedication, etc.)
___ AMENDMENT TO A SPECIAL USE (Major; Minor)		

[1]PRIMARY CONTACT	**PRIMARY CONTACT MAILING ADDRESS**	**PRIMARY CONTACT EMAIL**
Daniel J. Kramer	[redacted]	[redacted]
PRIMARY CONTACT PHONE #	**PRIMARY CONTACT FAX #**	**PRIMARY CONTACT OTHER #(Cell, etc.)**
[redacted]	[redacted]	
[2]ENGINEER CONTACT	**ENGINEER MAILING ADDRESS**	**ENGINEER EMAIL**
Chris Papesh		[redacted]
ENGINEER PHONE #	**ENGINEER FAX #**	**ENGINEER OTHER # (Cell, etc.)**
[redacted]		

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 X [redacted] **DATE** 6-22-2021

FEE PAID:$ 500.00
CHECK #: [redacted]

[1]*Primary Contact will receive all correspondence from County*
[2]*Engineering Contact will receive all correspondence from the County's Engineering Consultants*

RECEIVED
JUN 30 2021
KENDALL COUNTY
PLANNING, BUILDING
& ZONING

Last Revised:
12.15.20

Date Stamp Here If Checklist Is Complete

Please fill out the following findings of fact to the best of your capabilities. § 13:07.F of the Zoning Ordinance lists the Finding of Fact criteria the Zoning Board of Appeals must answer in order to make a recommendation to the County Board on any **map amendment** request. They are as follows:

Existing uses of property within the general area of the property in question.

There is a mix of residential and agricultural zoning in the area. However, the predominant use in the area is large lot single family residential that was developed either under prior Kendall County Ordinances since 1973 allowing various sizes of real property parcels to serve as permissible splits to construct residential residences or residences built pursuant to the Allocation Ordinance in the Kendall County Agricultural Zone. Large Lot Estate Residential type housing.

The Zoning classification of property within the general area of the property in question.

Matches the above description of the zoning with a some R-1 Rural Residential as well.

The suitability of the property in question for the uses permitted under the existing zoning classification.

The subject real property is suitable for building of large lot single family homes above the 100 year flood elevation. The area is not suitable for row crop farming due to the 100 year flood stage, wooded area, and non-productive agricultural sales for traditional row crop farming, as well as the small size of said parcels which is not conducive to modern day large scale farm equipment.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification.

There is a mix of residential and agricultural zoning in the area. However, the predominant use in the area is large lot single family residential that was developed either under prior Kendall County Ordinances since 1973 allowing various sizes of real property parcels to serve as permissible splits to construct residential residences or residences built pursuant to the Allocation Ordinance in the Kendall County Agricultural Zone. Large Lot Estate Residential type housing.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies.

The application for the residential zoning with large lot single family residential is consistent with the residential class provided for the area in which the real property is located for this application under the Kendall County Land Resource Management Plan.

BRIAN & JENNIFER GORE

TRACT 1:
THE EAST 350.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 7.023 acre more or less.

TRACT 2
THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 426.00 FEET TO THE NORTHEAST CORNER OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SAID CORNER BEING THE POINT OF BEGINNING (TRACT 2); THENCE CONTINUING NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG SAID EAST LINE, 901.42 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 550.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 550.00 FEET OF NORTHEAST QUARTER OF AFORESAID SOUTHWEST QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 199607024; THENCE SOUTH 11 DEGREES 56 MINUTES 54 SECONDS WEST 862.92 FEET TO THE NORTHWESTERLY CORNER OF AFORESAID QUIT CLAIM DEED; THENCE NORTH 74 DEGREES 08 MINUTES 06 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID QUIT CLAIM DEED, A DISTANCE OF 112.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 08 SECONDS EAST ALONG SAID NORTHERLY LINE, 386.00 FEET; THENCE SOUTH 04 DEGREES 21 MINUTES 06 SECONDS WEST ALONG SAID NORTHERLY LINE, 36.00 FEET; THENCE SOUTH 85 DEGREES 38 MINUTES 54 SECONDS EAST ALONG SAID NORTHERLY LINE, 260.00 FEET TO THE POINT OF BEGINNING (TRACT 2); EXCEPTING THEREFROM THE EAST 350.00 FEET THEREOF, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 5.648 acre more or less.

Matt Asselmeier

From: Daniel J Kramer <dkramer@dankramerlaw.com>
Sent: Wednesday, June 30, 2021 10:59 AM
To: Matt Asselmeier
Subject: [External]RE: Gore Rezoning Questions

Yes the two small parcels are the only two being re-zoned . The larger parcel is entitled to one house permit under the registered allocation. The Gore's plan on moving ahead right away to build on that Ag. Land. The two building permits from the re-zoning my be children of gores building in the future or not being built on if the children decided living too close to parents.

Very Truly Yours,

Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560
Phone-630.553.9500
Fax-630.553.5764

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From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Wednesday, June 30, 2021 9:31 AM
To: Daniel J Kramer <dkramer@dankramerlaw.com>
Subject: Gore Rezoning Questions

Dan:

On the Gore rezoning, are they only rezoning tracts 1 and 2?

Also, do they intend to construct houses on all three tracts?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

202100012533
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 5/14/2021 3:41 PM
REC FEE: 57.00 RHSPS: 10.00
STATE TAX: 437.50
COUNTY TAX: 218.75
PAGES: 5

Chicago Title

This instrument prepared by:
Schoenberg Finkel Beederman Bell Glazer LLC
300 South Wacker Drive, Suite 1500
Chicago, Illinois 60606
Attention: Joan T. Berg

After Recording, please return to:
Daniel J. Kramer
Attorney at Law
1107A S. Bridge Street
Yorkville, IL. 60560

Send subsequent tax bills to:
Brian R. Gore and Jennifer A. Gore
[redacted]

Property Index Numbers:
09-15-300-021-0000
09-22-100-018-0000

2003918 QUIT 1/2

SPECIAL WARRANTY DEED

THIS INDENTURE, made as of February 18, 2021 between Tri-Star Development, Inc., an Illinois corporation, Grantor, having offices at 26647 Samantha Court, Channahon, Illinois, and Brian R. Gore and Jennifer A. Gore, husband and wife, not as Tenants in Common, but as JOINT TENANTS with right of survivorship, Grantee, for and in consideration of the sum of Ten and NO/100 Dollars ($10.00) and other good and valuable consideration in hand paid by the Grantee, the receipt whereof is hereby acknowledged, and pursuant to the authority of the members of said limited liability company, by there presents does REMISE RELEASE, ALIEN AND CONVEY unto the Grantee the following described real estate, situated in the County of Kendall and State of Illinois known and described as follows, to wit: Please see EXHIBIT A, attached hereto and made a part hereof.

Together with all and singular of the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the Grantor, either in law or in equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the Grantee forever.

And the Grantor, for itself, and its successors, does covenant, promise and agree, to and with the Grantee, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be in any manner encumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to: Please see EXHIBIT B, attached hereto and made a part hereof.

Unofficial

IN WITNESS WHEREOF, Grantor has executed this instrument as of the day and year first above written.

Tri-Star Development, Inc.
an Illinois corporation

[redacted]

By: _____
Paul B. Kovacevich, Vice President

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public, in and for the County and State aforesaid, DO HEREBY CERTIFY, that Paul B. Kovacevich, personally known to me to be the Vice President of Tri-Star Development, Inc. an Illinois corporation, and personally known to me to be the same persons whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that as such Vice President, he signed and delivered said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to the authority given by the Board of Directors of said corporation, as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and notarial seal this 18th day of February, 2021.

[redacted]

Notary Public

OFFICIAL SEAL
JOAN MARIA BERG
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/09/23

My Commission Expires: 12/09/2023

Unofficial

LEGAL DESCRIPTION

Order No.: 20039189LFE Exhibit A

PARCEL 1:

THAT PART OF THE SOUTHWEST QUARTER OF SECTION 15 AND THAT PART OF THE NORTHWEST QUARTER OF SECTION 22, ALL IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE NORTH 88 DEGREES 21 MINUTES 36 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHWEST QUARTER, 1091.99 FEET; THENCE SOUTH 01 DEGREES 38 MINUTES 24 SECONDS EAST 40.00 FEET TO THE SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST ALONG SAID SOUTH RIGHT OF WAY LINE, 538.70 FEET TO THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST PARALLEL WITH THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER, 672.16 FEET TO THE SOUTHWEST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE NORTH 88 DEGREES 21 MINUTES 18 SECONDS EAST PARALLEL WITH THE AFORESAID SOUTH RIGHT OF WAY LINE OF U.S. ROUTE 52, A DISTANCE OF 324.16 FEET TO A POINT ON THE WEST LINE OF LANGELAND'S SUBDIVISION, SAID POINT BEING THE SOUTHEAST CORNER OF SAID DOCUMENT NUMBER 200900002662; THENCE SOUTH 01 DEGREES 17 MINUTES 14 SECONDS EAST ALONG SAID WEST LINE, 100.00 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 37 DEGREES 15 MINUTES 59 SECONDS WEST 350.00 FEET; THENCE SOUTH 75 DEGREES 26 MINUTES 06 SECONDS WEST 500.00 FEET; THENCE SOUTH 09 DEGREES 38 MINUTES 05 SECONDS WEST 1047.97 FEET TO A POINT ON THE WESTERLY BANK OF THE AUX SABLE CREEK; THENCE SOUTH 71 DEGREES 00 MINUTES 39 SECONDS EAST ALONG SAID WESTERLY BANK, 324.95 FEET; THENCE SOUTH 39 DEGREES 37 MINUTES 14 SECONDS EAST ALONG SAID WESTERLY BANK, 404.44 FEET TO A POINT ON SAID WESTERLY BANK THAT IS LOCATED 65.00 FEET WESTERLY OF AND PARALLEL WITH THE WESTERLY LINE OF LANDS CONVEYED BY TRUSTEES DEED, RECORDED AS DOCUMENT NUMBER 201400011624; THENCE SOUTH 09 DEGREES 00 MINUTES 04 SECONDS EAST ALONG SAID PARALLEL LINE, 100.91 FEET; THENCE SOUTH 02 DEGREES 02 MINUTES 06 SECONDS WEST ALONG SAID PARALLEL LINE, 146.02 FEET; THENCE SOUTH 15 DEGREES 32 MINUTES 56 SECONDS WEST ALONG SAID PARALLEL LINE, 137.09 FEET; THENCE SOUTH 41 DEGREES 53 MINUTES 22 SECONDS WEST ALONG SAID PARALLEL LINE, 466.06 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH 43.65 ACRES OF THE NORTHWEST QUARTER OF AFORESAID SECTION 22, SAID POINT BEING LOCATED NORTH 88 DEGREES 22 MINUTES 13 SECONDS EAST 1260.00 FEET FROM THE WEST LINE OF SAID NORTHWEST QUARTER (AS MEASURED ALONG SAID SOUTH LINE); THENCE NORTH 88 DEGREES 22 MINUTES 13 SECONDS EAST ALONG SAID SOUTH LINE, 89.65 FEET TO THE SOUTHWEST CORNER OF LANDS CONVEYED BY AFORESAID TRUSTEES DEED, SAID CORNER ALSO BEING THE CENTERLINE OF THE AUX SABLE CREEK; THENCE NORTH 41 DEGREES 53 MINUTES 22 SECONDS EAST ALONG THE WESTERLY LINE OF LANDS CONVEYED BY AFORESAID TRUSTEES DEED, A DISTANCE OF 419.55 FEET; THENCE NORTH 15 DEGREES 32 MINUTES 56 SECONDS EAST ALONG SAID WESTERLY LINE, 160.00 FEET; THENCE NORTH 02 DEGREES 02 MINUTES 06 SECONDS EAST ALONG SAID WESTERLY LINE, 160.00 FEET; THENCE NORTH 09 DEGREES 00 MINUTES 04 SECONDS WEST ALONG SAID WESTERLY LINE, 150.00 FEET TO THE SOUTHERNMOST CORNER OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055; THENCE ALONG THE WESTERLY AND NORTHERLY LINES

LEGAL DESCRIPTION
(continued)

OF SAID QUIT CLAIM DEED, AS FOLLOWS: NORTH 17 DEGREES 00 MINUTES 26 SECONDS EAST 114.29 FEET, NORTH 41 DEGREES 33 MINUTES 34 SECONDS EAST 104.86 FEET, NORTH 45 DEGREES 08 MINUTES 06 SECONDS EAST 202.00 FEET, NORTH 15 DEGREES 51 MINUTES 54 SECONDS WEST 114.00 FEET, NORTH 74 DEGREES 08 MINUTES 06 SECONDS EAST 112.00 FEET, SOUTH 88 DEGREES 36 MINUTES 08 SECONDS EAST 386.00 FEET, SOUTH 04 DEGREES 21 MINUTES 06 SECONDS WEST 36.00 FEET, AND SOUTH 85 DEGREES 38 MINUTES 54 SECONDS EAST 260.00 FEET TO A POINT ON THE EAST LINE OF THE AFORESAID SOUTHWEST QUARTER, SAID POINT BEING THE NORTHEAST CORNER OF AFORESAID QUIT CLAIM DEED, SAID POINT IS 426.00 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG SAID EAST LINE, 901.42 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER, 550.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 550.00 FEET OF SAID NORTHEAST QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 199607024; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG SAID WEST LINE, 325.96 FEET TO A POINT ON THE SOUTH LINE OF LOT 2 IN AFORESAID LANGELAND'S SUBDIVISION, SAID POINT BEING THE NORTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 199607024; THENCE SOUTH 89 DEGREES 02 MINUTES 26 SECONDS WEST ALONG THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 135.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG THE WEST LINE OF AFORESAID LANGELAND'S SUBDIVISION, A DISTANCE OF 187.73 FEET TO THE POINT OF BEGINNING, ALL SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS.

Unofficial

Debbie Gillette
Kendall County Clerk & Recorder

PLAT ACT AFFIDAVIT OF METES AND BOUNDS

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

Paul B. Kovacevich, being duly sworn on oath, states that affiant resides at [redacted]. And further states that: (please check the appropriate box)

A. [ ] That the attached deed is not in violation of 765 ILCS 205/1(a), in that the sale or exchange is of an entire tract of land not being part of a larger tract of land; or

B. [✓] That the attached deed is not in violation of 765 ILCS 205/1(b) for one of the following reasons: (please circle the appropriate number)

1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
4. The conveyance of parcels of land or interests therein for use as right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
7. Conveyances made to correct descriptions in prior conveyances;
8. The sale or exchange of parcels or tracts of land following the division into not more than two (2) parts of a particular parcel or tract of land existing on July 17, 1959, and not involving any new streets or easements of access;
9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
10. The conveyance is of land described in the same manner as title was taken by grantor(s).

AFFIANT further states that ___ he makes this affidavit for the purpose of inducing the Recorder of Deeds of Kendall County, Illinois, to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME

This 19th day of February, 2021

[redacted]
Signature of Notary Public

[redacted]
Signature of Affiant Paul B. Kovacevich

OFFICIAL SEAL
JOAN MARIA BERG
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:12/09/23

111 West Fox Street, Yorkville IL 60560-1498
Tel: (630) 553-4104 • Fax: (630) 553-4119 • Email: Dgillette@co.kendall.il.us

Unofficial

Kendall County Soil & Water Conservation District

7775A Route 47, Yorkville, Illinois 60560 • (630)553-5821 extension 3

www.kendallswcd.org

NATURAL RESOURCE INFORMATION (NRI) REPORT APPLICATION

Petitioner: Brian and Jennifer Gore
Address: [redacted]
City, State, Zip: [redacted]
Phone Number: [redacted]
Email: [redacted]

Contact Person: Daniel J. Kramer
[redacted]

Please select: How would you like to receive a copy of the NRI Report? ☑ Email ☐ Mail

Site Location & Proposed Use

Township Name Seward Township 35 N, Range 8 E, Section(s) 15
Parcel Index Number(s) 09-15-300-021 and 09-22-100-018
Project or Subdivision Name Gore Number of Acres 40.046
Current Use of Site vacant land Proposed Use 2 single family homes
Proposed Number of Lots 2 Proposed Number of Structures 2
Proposed Water Supply well Proposed type of Wastewater Treatment septic
Proposed type of Storm Water Management

Type of Request

☑ Change in Zoning from A-1 to R-1
☐ Variance (Please describe fully on separate page)
☐ Special Use Permit (Please describe fully on separate page)
Name of County or Municipality the request is being filed with:

In addition to this completed application form, please including the following to ensure proper processing:

☐ **Plat of Survey/Site Plan** – showing location, legal description and property measurements
☐ **Concept Plan** - showing the locations of proposed lots, buildings, roads, stormwater detention, open areas, etc.
☐ If available: topography map, field tile map, copy of soil boring and/or wetland studies
☐ **NRI fee** (Please make checks payable to Kendall County SWCD)

The NRI fees, as of July 1, 2010, are as follows:

Full Report: $375.00 for five acres and under, plus $18.00 per acre for each additional acre or any fraction thereof over five.
Executive Summary Report: $300.00 (KCSWCD staff will determine when a summary or full report will be necessary.)

Fee for first five acres and under	$ 375.00
36 Additional Acres at $18.00 each	$ 648.00
Total NRI Fee	$1,023.00

NOTE: Applications are due by the 1st of each month to be on that month's SWCD Board Meeting Agenda. Once a completed application is submitted, please allow 30 days for inspection, evaluation and processing of this report.

I (We) understand the filing of this application allows the authorized representative of the Kendall County Soil and Water Conservation District (SWCD) to visit and conduct an evaluation of the site described above. The completed NRI report expiration date will be 3 years after the date reported.

X [redacted]
Petitioner or Authorized Agent

6-22-2021
Date

This report will be issued on a nondiscriminatory basis without regard to race, color, religion, national origin, age, sex, handicap or marital status.

FOR OFFICE USE ONLY

NRI#_____ Date initially rec'd _____ Date all rec'd _____ Board Meeting _____
Fee Due $_____ Fee Paid $ _____ Check #_____ Over/Under Payment _____ Refund Due_____

EcoCAT
Ecological Compliance Assessment Tool

Applicant: Brian and Jennifer Gore
Contact: Daniel J. Kramer
Address: [redacted]

IDNR Project Number: 2114965
Date: 06/21/2021

Project: Gore
Address: Jughandle Road, Minooka

Description: zone from A-1 to R-2 to allow for two single family homes to be built

Natural Resource Review Results

Consultation for Endangered Species Protection and Natural Areas Preservation (Part 1075)

The Illinois Natural Heritage Database shows the following protected resources may be in the vicinity of the project location:

Aux Sable Creek INAI Site
Greater Redhorse *(Moxostoma valenciennesi)*

An IDNR staff member will evaluate this information and contact you to request additional information or to terminate consultation if adverse effects are unlikely.

Location
The applicant is responsible for the accuracy of the location submitted for the project.

County: Kendall

Township, Range, Section:
35N, 8E, 15



IL Department of Natural Resources Contact
Adam Rawe
217-785-5500
Division of Ecosystems & Environment

Government Jurisdiction
Kendall County Planning, Building, & Zoning
Matt Asselmeier
111 W Fox Street
Yorkville, Illinois 60560

Disclaimer

The Illinois Natural Heritage Database cannot provide a conclusive statement on the presence, absence, or condition of natural resources in Illinois. This review reflects the information existing in the Database at the time of this inquiry, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, compliance with applicable statutes and regulations is required.

Terms of Use

By using this website, you acknowledge that you have read and agree to these terms. These terms may be revised by IDNR as necessary. If you continue to use the EcoCAT application after we post changes to these terms, it will mean that you accept such changes. If at any time you do not accept the Terms of Use, you may not continue to use the website.

Illinois Department of
Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
http://dnr.state.il.us

JB Pritzker, Governor
Colleen Callahan, Director

June 22, 2021

Daniel J. Kramer
Brian and Jennifer Gore
[redacted]

RE: Gore
Project Number(s): 2114965
County: Kendall

Dear Applicant:

This letter is in reference to the project you recently submitted for consultation. The natural resource review provided by EcoCAT identified protected resources that may be in the vicinity of the proposed action. The Department has evaluated this information and concluded that adverse effects are unlikely. Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated.

This consultation is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

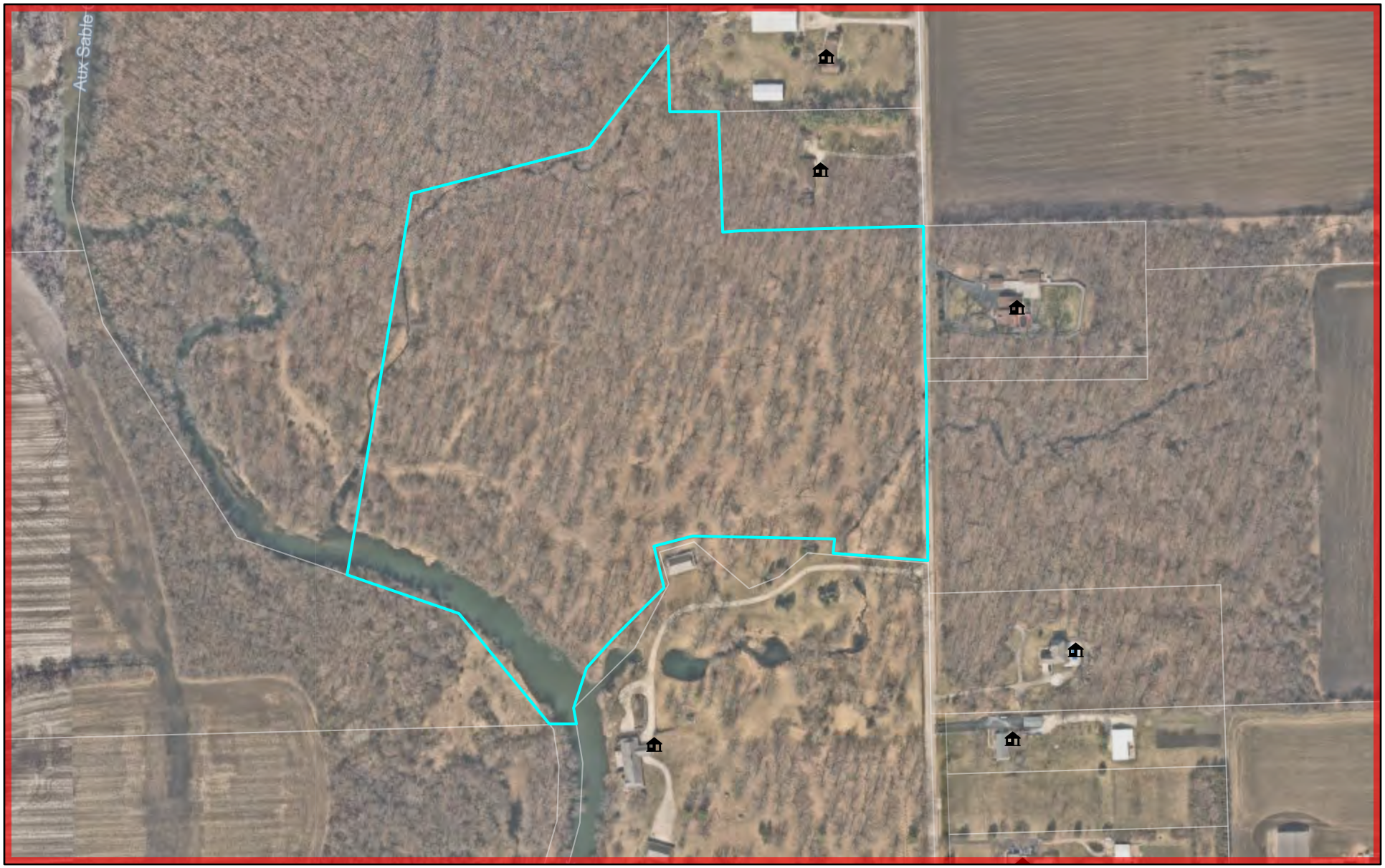
The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

[redacted]

Adam Rawe
Division of Ecosystems and Environment
217-785-5500

Attachment 2



June 30, 2021

Kendall County Address Points

Parcels

Ownership Parcel

1:6,000

0 0.04 0.07 0.15 mi

0 0.05 0.1 0.2 km

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Kendall County Web GIS

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Brian & Jennifer Gore

Eastern part of 09-15-300-021

Legend

Parcels

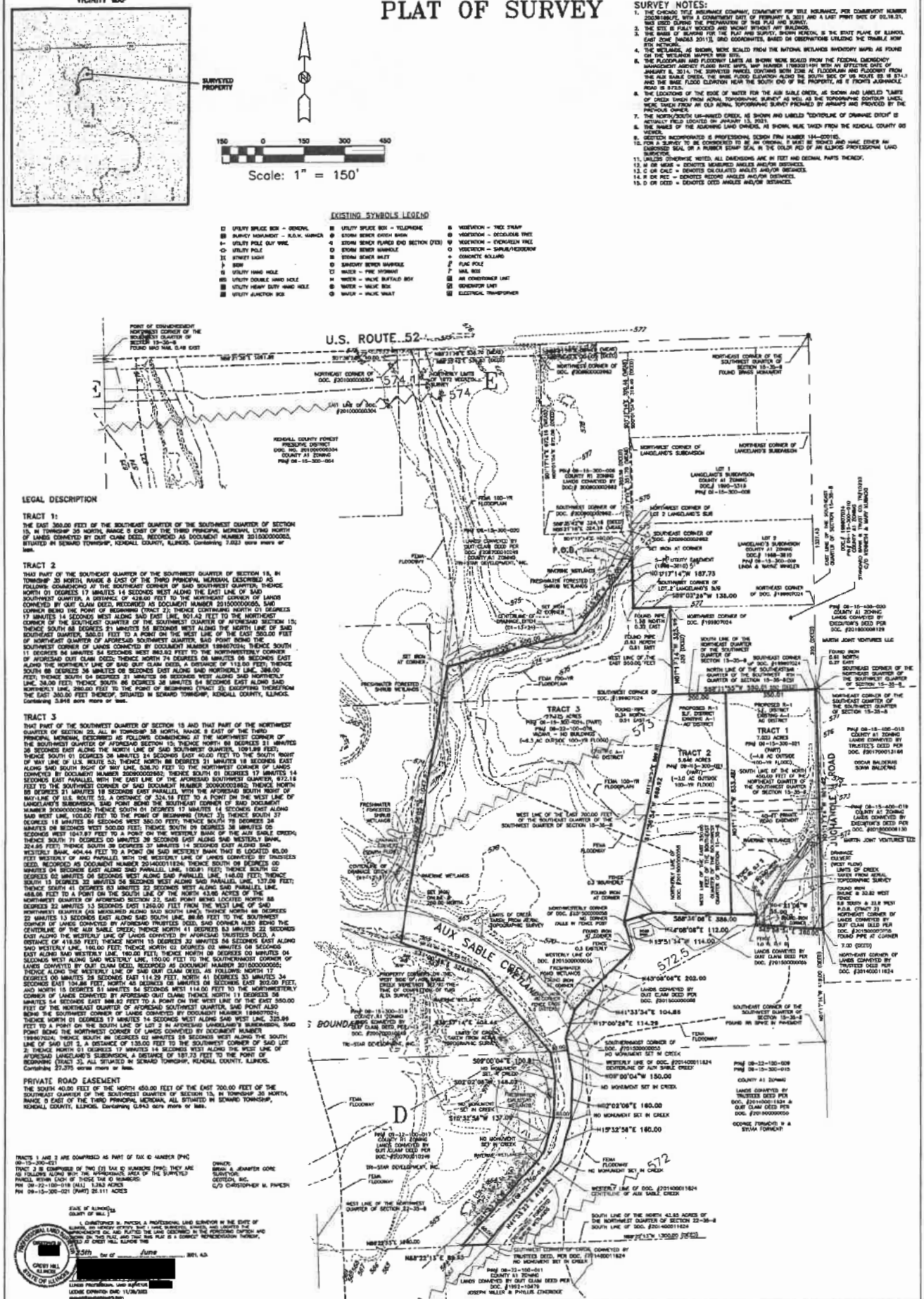
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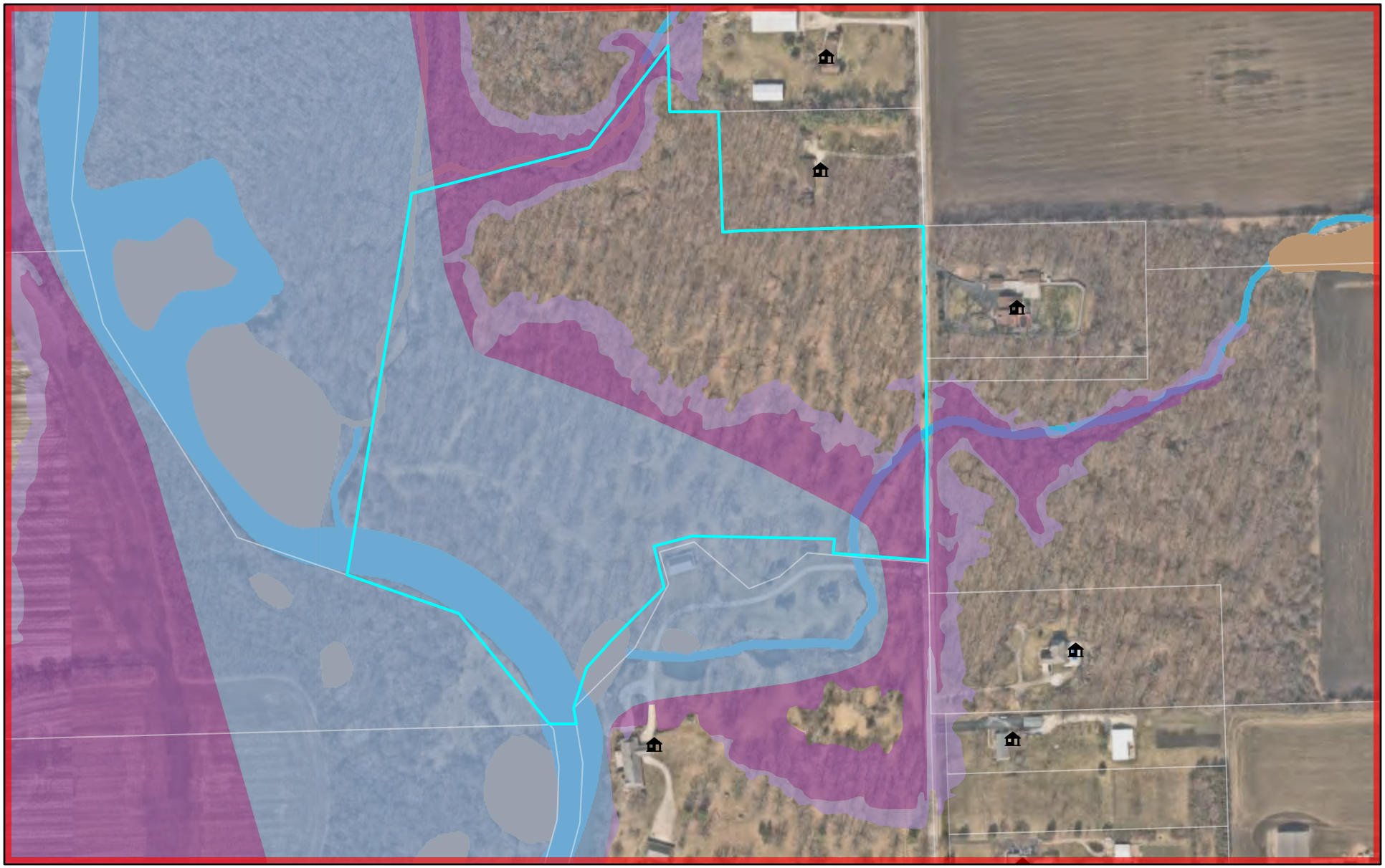
Feet

Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

PLAT OF SURVEY



Attachment 5



June 30, 2021

Kendall County Address Points

Parcels

Ownership Parcel

USA Flood Hazard Areas

1% Annual Chance Flood Hazard

0.2% Annual Chance Flood Hazard

Regulatory Floodway

USA Wetlands

Marine

Estuarine

Palustrine

Riverine

1:6,000

0 0.04 0.07 0.15 mi

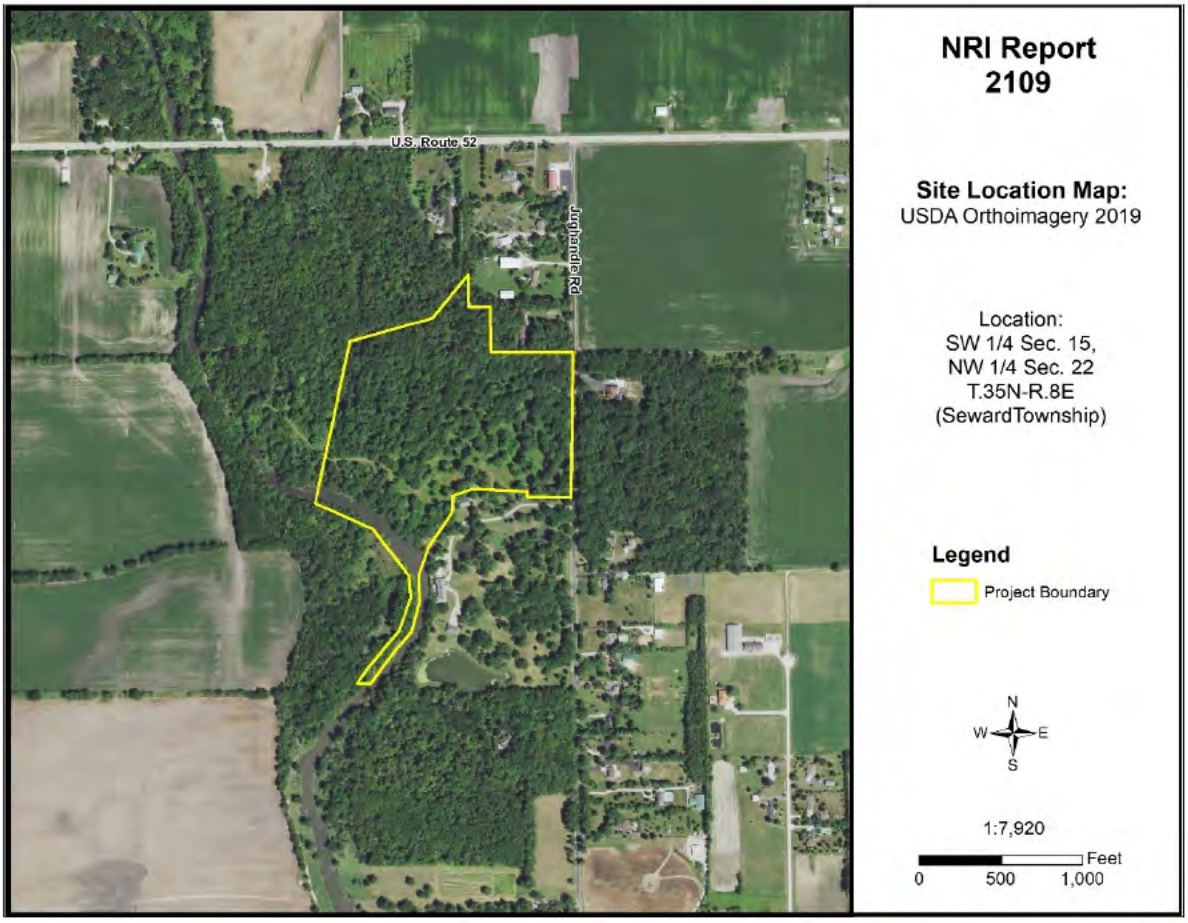
0 0.05 0.1 0.2 km

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Kendall County Web GIS

View GIS Disclaimer at https://www.co.kendall.il.us/departments/geographic-information-systems/gis-disclaimer-page/.

NATURAL RESOURCE INFORMATION (NRI) REPORT: #2109



July 2021

Petitioner: Brian & Jennifer Gore
Contact: Attorney Daniel J. Kramer

Prepared By:

Kendall County Soil & Water Conservation District
7775A Route 47
Yorkville, Illinois 60560
Phone: (630) 553-5821 x3
Fax: (630) 553-7442
www.kendallswcd.org

KENDALL COUNTY SOIL AND WATER CONSERVATION DISTRICT NATURAL RESOURCE INFORMATION (NRI) REPORT

Natural Resource Information Report Number	2109
Date District Board Reviews Application	July 2021
Applicant's Name	Brian & Jennifer Gore
Size of Parcel	(+/-) 40.046 acres
Current Zoning & Use	A-1 Agricultural; Vacant Forested Land
Proposed Zoning & Use	R-1 Residential; Two Single-Family Homes
Parcel Index Number(s)	09-15-300-021 and 09-22-100-018
Contact Person	Attorney Daniel J. Kramer

Copies of this report or notification of the proposed land-use change was provided to:	**Yes**	**No**
The Applicant	X	
The Applicant's Legal Representation	X	
The Local/Township Planning Commission	X	
The Village/City/**County** Planning and Zoning Department or Appropriate Agency	X	
The Kendall County Soil and Water Conservation District Files	X	

Report Prepared By: *Alyse Olson* Position: *Resource Conservationist*

PURPOSE AND INTENT

The purpose of this report is to provide officials of the local governing body and other decision-makers with natural resource information. This information may be useful when undertaking land use decisions concerning variations, amendments or relief of local zoning ordinances, proposed subdivision of vacant or agricultural lands and the subsequent development of these lands. This report is a requirement under Section 22.02a of the Illinois Soil and Water Conservation Districts Act.

The intent of this report is to present the most current natural resource information available in a readily understandable manner. It contains a description of the present site conditions, the present resources, and the potential impacts that the proposed change may have on the site and its resources. The natural resource information was gathered from standardized data, on-site investigations and information furnished by the petitioner. This report must be read in its entirety so that the relationship between the natural resource factors and the proposed land use change can be fully understood.

Due to the limitations of scale encountered with the various resource maps, the property boundaries depicted in the various exhibits in this report provide a generalized representation of the property location and may not precisely reflect the legal description of the PIQ (Parcel in Question).

This report, when used properly, will provide the basis for proper land use change decisions and development while protecting the natural resource base of the county. It should not be used in place of detailed environmental and/or engineering studies that are warranted under most circumstances, but in conjunction with those studies.

The conclusions of this report in no way indicate that a certain land use is not possible, but it should alert the reader to possible problems that may occur if the capabilities of the land are ignored. Any questions on the technical data supplied in this report or if anyone feels that they would like to see more additional specific information to make the report more effective, please contact:

Kendall County Soil and Water Conservation District
7775A Route 47, Yorkville, IL 60560
Phone: (630) 553-5821 ext. 3
E-mail: Alyse.Olson@il.nacdnet.net

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EXECUTIVE SUMMARY

Natural Resource Information Report Number	#2109
Petitioner	Brian & Jennifer Gore
Contact Person	Attorney Daniel J. Kramer
County or Municipality the Petition is Filed With	Kendall County
Location of Parcel	SW ¼ of Section 15, NW ¼ of Section 22, Township 35 North, Range 8 East (Seward Township) of the 3rd Principal Meridian
Project or Subdivision Name	Gore Residences
Existing Zoning & Land Use	A-1 Agricultural; Vacant Forested Land
Proposed Zoning & Land Use	R-1 Residential; Two Single-Family Homes
Proposed Water Source	Well
Proposed Type of Sewage Disposal System	Septic
Proposed Type of Storm Water Management	N/A
Size of Site	(+/-) 40.046 acres
Land Evaluation Site Assessment Score	191 (Land Evaluation: 90; Site Assessment: 101)

NATURAL RESOURCE CONSIDERATIONS

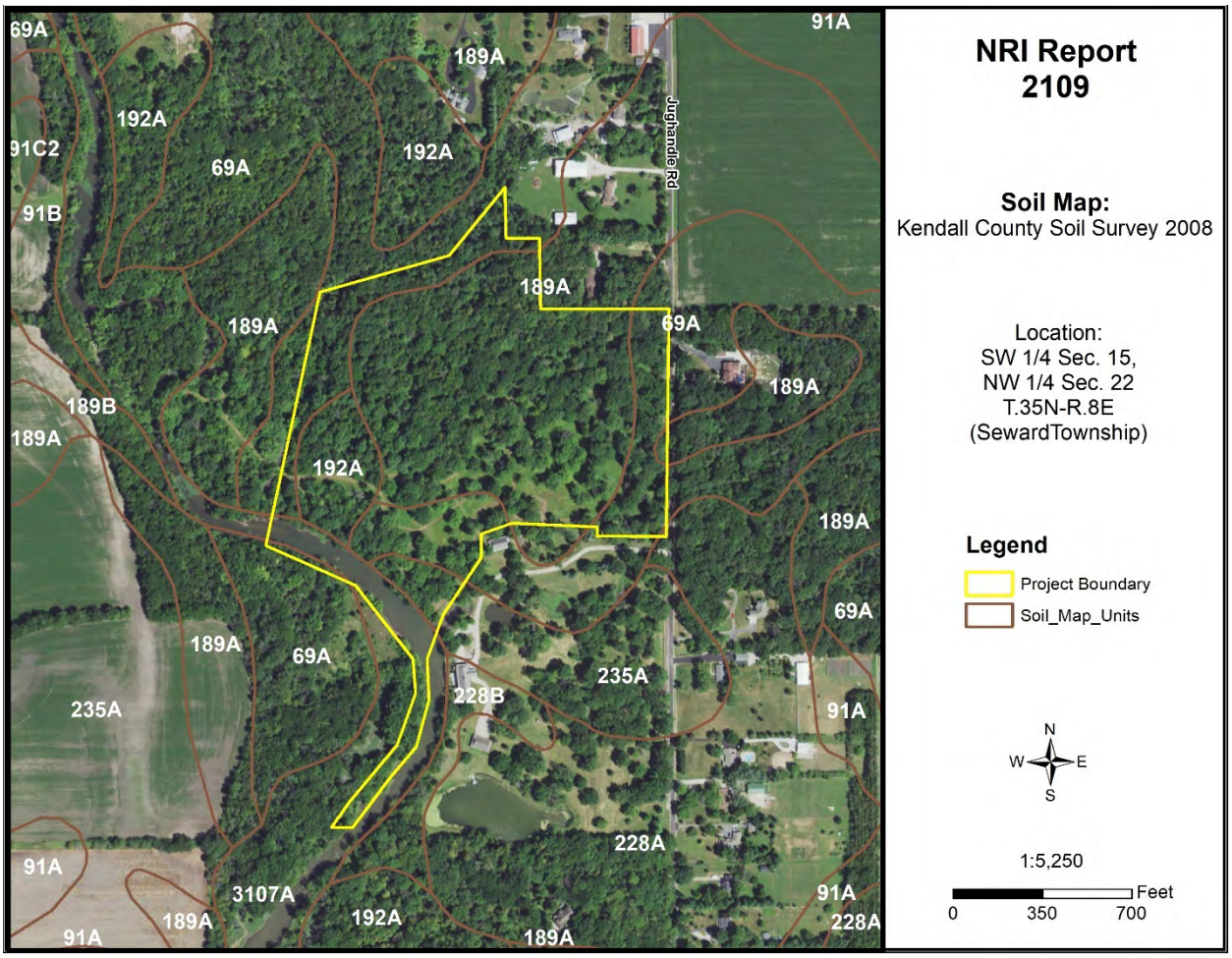


Figure 1: Soil Map

SOIL INFORMATION

Based on information from the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) 2008 Kendall County Soil Survey, this parcel is shown to contain the following soil types (please note this does not replace the need for or results of onsite soil testing; if completed, please refer to onsite soil test results for planning/engineering purposes):

Table 1: Soils Information

Map Unit	Soil Name	Drainage Class	Hydrologic Group	Hydric Designation	Farmland Designation
69A	Milford silty clay loam, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland if drained
189A	Martinton silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland
192A	Del Rey silt loam, 0-2% slopes	Somewhat Poorly Drained	C/D	Non-Hydric	Prime Farmland if drained
228A	Nappanee silt loam, 0-2% slopes	Somewhat Poorly Drained	D	Non-Hydric	Prime Farmland if drained

235A	Bryce silty clay, 0-2% slopes	Poorly Drained	C/D	Hydric	Prime Farmland if drained
3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	Poorly Drained	B/D	Hydric	Prime Farmland if drained & either protected from flooding or not frequently flooded during growing season

Hydrologic Soil Groups – Soils have been classified into four (A, B, C, D) hydrologic groups based on runoff characteristics due to rainfall. If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D), the first letter is for drained areas and the second letter is for undrained areas.

- **Hydrologic group A:** Soils have a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Hydrologic group B:** Soils have a moderate infiltration rate when thoroughly wet, consist chiefly of moderately deep to deep, moderately well drained to well drained soils that have a moderately fine to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Hydrologic group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Hydrologic group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Hydric Soils – A hydric soil is one that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile that supports the growth or regeneration of hydrophytic vegetation. Soils with hydric inclusions have map units dominantly made up of non-hydric soils that may have inclusions of hydric soils in the lower positions on the landscape. Of the soils found onsite, three are classified as hydric soils (69A Milford silty clay loam, 235A Bryce silty clay, and 3107A Sawmill silty clay loam), and the remaining three are classified as non-hydric soils that likely contain hydric inclusions (189A Martinton silt loam, 192A Del Rey silt loam, 228A Nappanee silt loam).

Prime Farmland – Prime farmland is land that has the best combination of physical and chemical characteristics for agricultural production. Prime farmland soils are an important resource to Kendall County and some of the most productive soils in the United States occur locally. Of the soils found onsite, one is designated as prime farmland (189A Martinton silt loam), and the remaining soils are designated as prime farmland if drained (69A Milford silty clay loam, 192A Del Rey silt loam, 228A Nappanee silt loam, 235A Bryce silty clay, and 3107A Sawmill silty clay loam).

Soil Limitations – The USDA-NRCS Web Soil Survey rates the limitations of soils for dwellings with basements, dwellings without basements, small commercial buildings, shallow excavations, lawns/landscaping, and local roads and streets. Soils have different properties which influence the

development of building sites. The USDA-NRCS classifies soils as Not Limited, Somewhat Limited, and Very Limited. Soils that are Not Limited indicates that the soil has properties that are favorable for the specified use. They will perform well and will have low maintenance. Soils that are Somewhat Limited are moderately favorable, and their limitations can be overcome through special planning, design, or installation. Soils that are Very Limited have features that are unfavorable for the specified use, and their limitations cannot easily be overcome.

Table 2: Soil Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns/ Landscaping	Conventional Septic Systems
69A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited
189A	Very Limited	Very Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
192A	Very Limited	Very Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
228A	Very Limited	Very Limited	Very Limited	Somewhat Limited	Suitable/Not Limited
235A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited
3107A	Very Limited	Very Limited	Very Limited	Very Limited	Unsuitable/ Very Limited

Septic Systems – The factors considered for determining suitability are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. Soils are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department (811 W. John Street, Yorkville, IL; (630) 553-9100 ext. 8026).

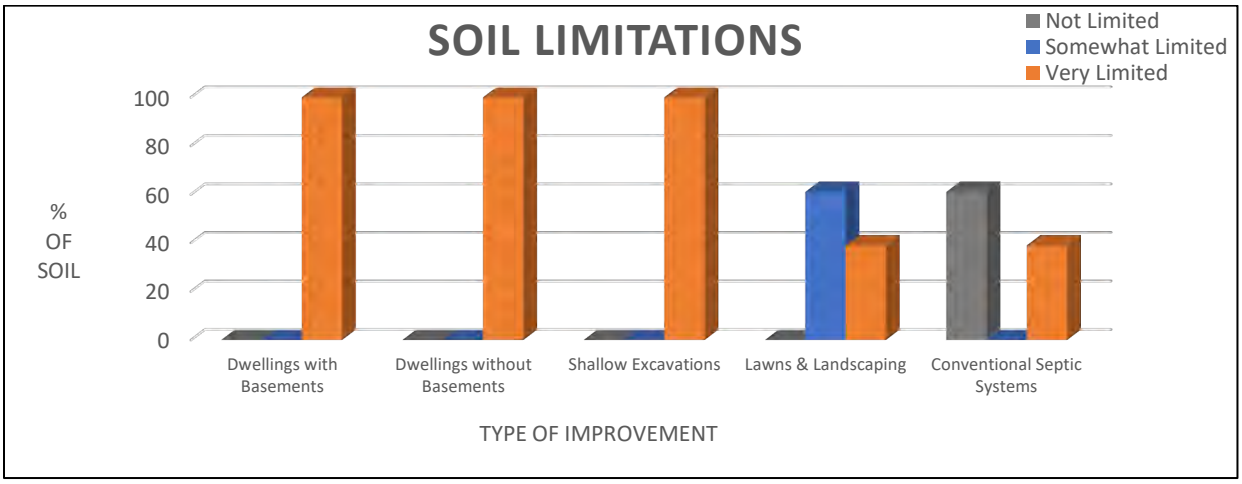


Figure 2: Soil Limitations

KENDALL COUNTY LAND EVALUATION AND SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

- **Land Evaluation (LE)**: The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100 and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.
    - The Land Evaluation score for this site is **90**, indicating that this site is **well suited** for agricultural uses.
- **Site Assessment (SA)**: The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The Site Assessment value is based on a 200-point scale and accounts for 2/3 of the total score. The Kendall County LESA Committee is responsible for this portion of the LESA system.
    - The Site Assessment score for this site is **101**.

The **LESA Score for this site is 191 out of a possible 300, which indicates a low level of protection** for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

WETLANDS

The U.S. Fish & Wildlife Service's National Wetland Inventory map **indicates the presence** of a wetland(s) on the proposed project site. To determine if a wetland is present, a wetland delineation specialist, who is recognized by the U.S. Army Corps of Engineers, should determine the exact boundaries and value of the wetlands.

FLOODPLAIN

The Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM) for Kendall County, Community Panel No. 17093C0145H (effective date January 8, 2014) was reviewed to determine the presence of floodplain and floodway areas within the project site. According to the map, the parcel **is located within** the floodplain and floodway.

SEDIMENT AND EROSION CONTROL

Development on this site should include an erosion and sediment control plan in accordance with local, state, and federal regulations. Soil erosion on construction sites is a resource concern because suspended sediment from areas undergoing development is a primary nonpoint source of water pollution. Please consult the *Illinois Urban Manual* (https://illinoisurbanmanual.org/) for appropriate best management practices.

LAND USE FINDINGS:

The Kendall County Soil and Water Conservation District (SWCD) Board has reviewed the proposed development plans for Petitioners Brian and Jennifer Gore for the proposed change in zoning to construct two single-family homes on the parcel within Seward Township of Kendall County located in the SW ¼ of Section 15, NW ¼ of Section 22, Township 35N, and Range 8E of the 3rd Principal Meridian. Based on the information provided by the petitioner and a review of natural resource related data available to the Kendall County SWCD, the SWCD Board presents the following information.

The Kendall County SWCD has always had the opinion that Prime Farmland should be preserved whenever feasible. Of the soils found onsite, 100% are classified as prime farmland or prime farmland if drained. A land evaluation (LE), which is a part of the Land Evaluation and Site Assessment (LESA), was conducted on this parcel. The soils on this parcel scored a 90 out of a possible 100 points indicating that the soils are well suited for agricultural uses. The total LESA Score for this site is 191 out of a possible 300, which indicates a low level of protection for the proposed project site. Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

Soils found on the project site are rated for specific uses and can have potential limitations for development. Soil types with severe limitations do not preclude the ability to develop the site for the proposed use, but it is important to note that the limitation may require soil reclamation, special design/engineering, or maintenance to obtain suitable soil conditions to support development with significant limitations. This report indicates that for soils located on the parcel, 100% are very limited for dwellings with basements, dwellings without basements, and shallow excavations and 39% are very limited for lawns/landscaping. The remaining 61% are somewhat limited for lawns/landscaping. Additionally, 39% of the soils are considered unsuitable for conventional septic systems. This information is based on the soil in an undisturbed state. If the scope of the project may include the use of onsite septic systems, please consult with the Kendall County Health Department.

This site is located within the Upper Illinois River watershed and the Minooka Branch Aux Sable Creek sub watershed. This development should include a soil erosion and sediment control plan to be implemented during construction. Sediment may become a primary non-point source of pollution; eroded soils during the construction phase can create unsafe conditions on roadways, degrade water quality and destroy aquatic ecosystems lower in the watershed.

For intense use, it is recommended that a drainage tile survey be completed on the parcel to locate the subsurface drainage tile and should be taken into consideration during the land use planning process. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. Impaired tile may affect a few acres or hundreds of acres of drainage.

The information that is included in this Natural Resources Information Report is to assure that the Land Developers take into full consideration the limitations of that land that they wish to develop. Guidelines and recommendations are also a part of this report and should be considered in the planning process. The Natural Resource Information Report is required by the Illinois Soil and Water Conservation District Act (Ill. Complied Statues, Ch. 70, Par 405/22.02a).

[redacted]
SWCD Board Representative

07/12/2021
Date

PARCEL LOCATION

Location Map for Natural Resources Information Report #2109

SW ¼ of Section 15, NW ¼ of Section 22, Township 35 North, Range 8 East (Seward Township) on 40.046 acres. This parcel is located on the west side of Jughandle Road, east of O Brien Road, south of U.S. Route 52, and north of Bell Road in Minooka, IL. The parcel is part of unincorporated Kendall County.

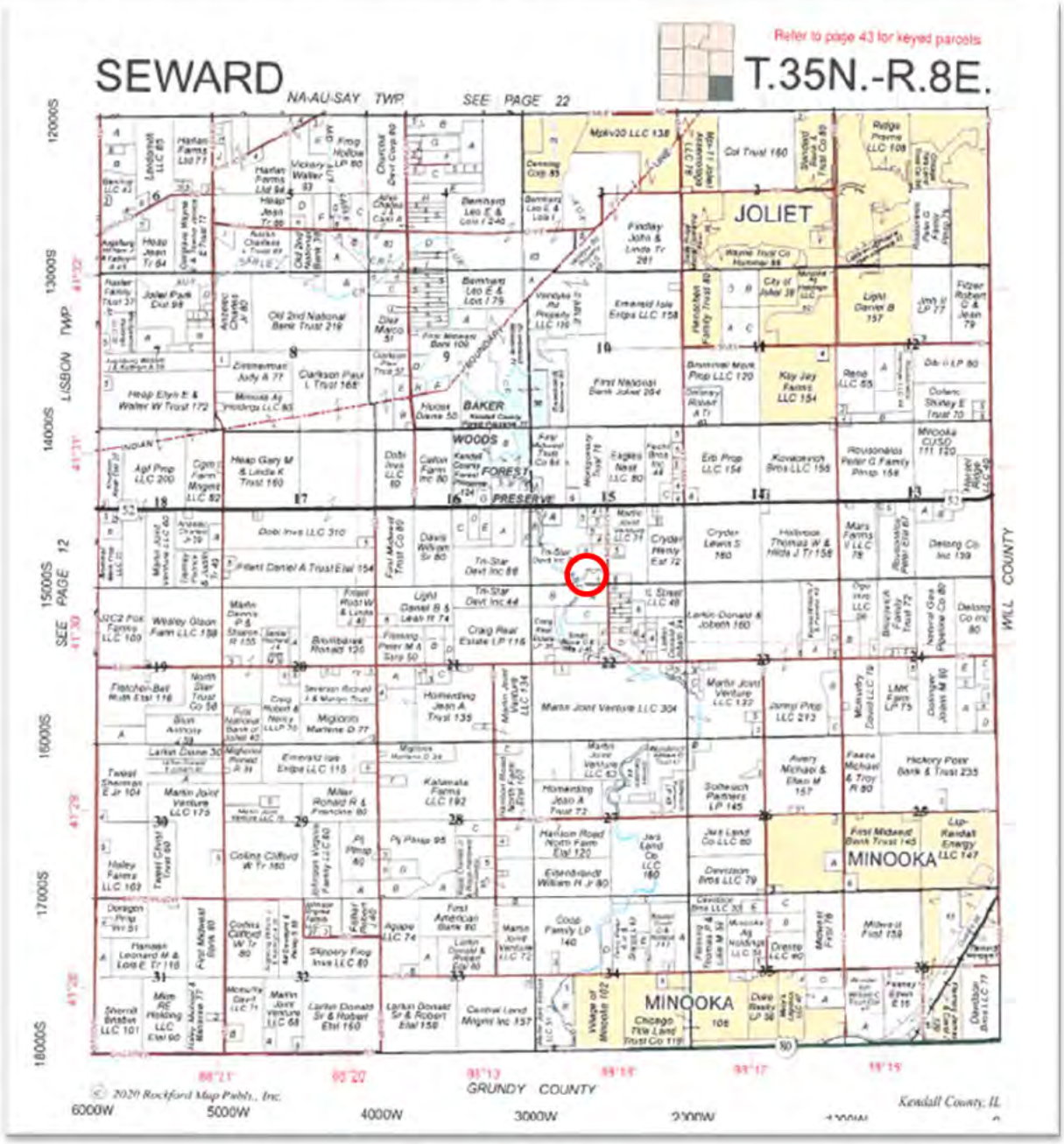


Figure 3: 2021 Plat Map

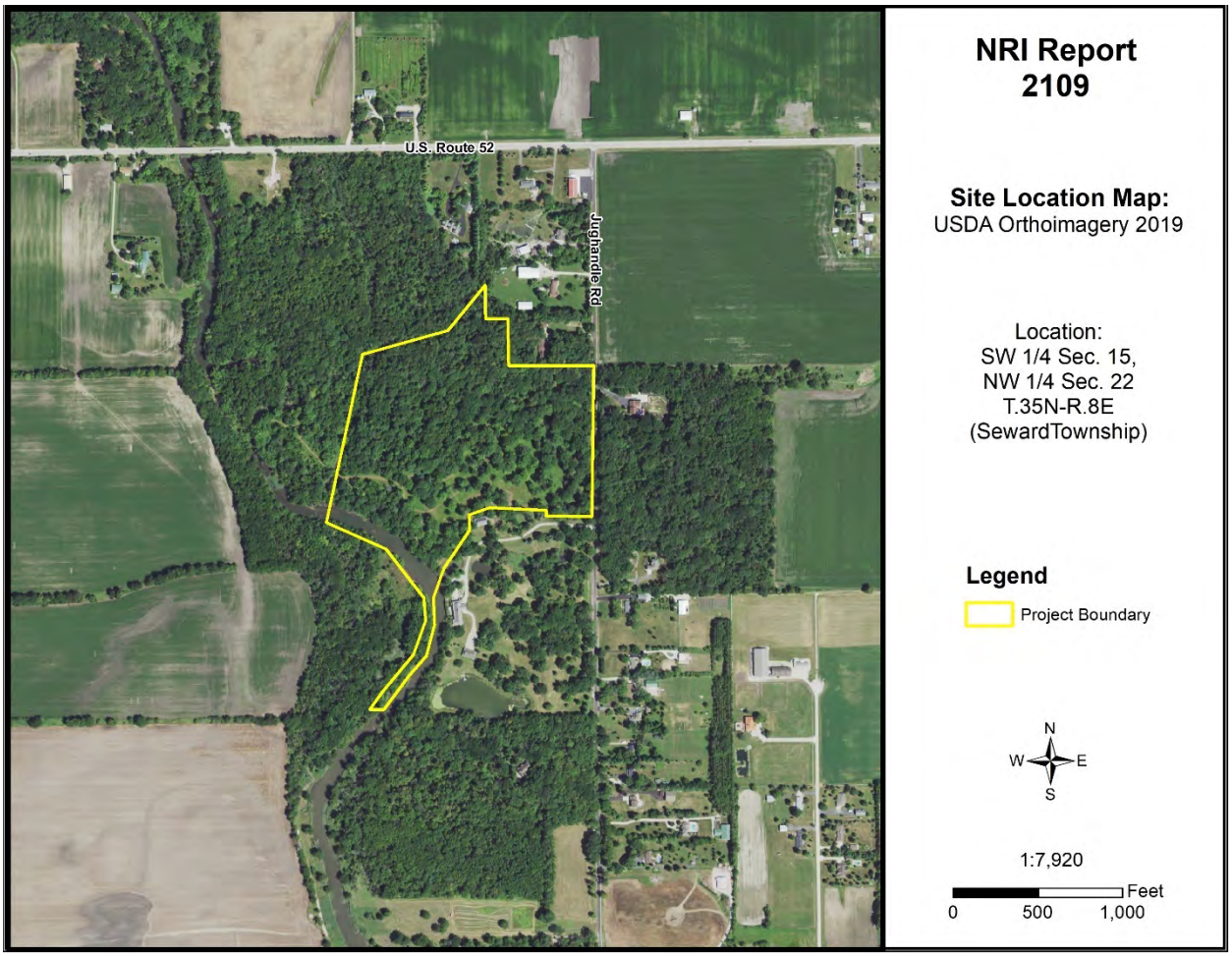


Figure 4: 2019 Aerial Map with NRI Site Boundary

ARCHAEOLOGIC/CULTURAL RESOURCES INFORMATION

Simply stated, cultural resources are all the past activities and accomplishments of people. They include the following: buildings; objects made or used by people; locations; and less tangible resources, such as stories, dance forms, and holiday traditions.

The Soil and Water Conservation District most often encounters cultural resources as historical properties. These may be prehistoric or historical sites, buildings, structures, features, or objects. The most common type of historical property that the Soil and Water Conservation District may encounter is non-structural archaeological sites. These sites often extend below the soil surface and must be protected against disruption by development or other earth moving activity if possible. Cultural resources are *non-renewable* because there is no way to "grow" a site to replace a disrupted site.

Landowners with historical properties on their land have ownership of that historical property. However, the State of Illinois owns all the following: human remains, grave markers, burial mounds, and artifacts associated with graves and human remains.

Non-grave artifacts from archaeological sites and historical buildings are the property of the landowner. The landowner may choose to disturb a historical property but may not receive federal or state assistance to do so. If an earth moving activity disturbs human remains, the landowner must contact the county coroner within 48 hours.

The Illinois Historic Preservation Agency has not been notified of the proposed land use change by the Kendall County SWCD. The applicant may need to contact the IHPA according to current Illinois law.

ECOLOGICALLY SENSITIVE AREAS

WHAT IS BIOLOGICAL DIVERSITY AND WHY SHOULD IT BE CONSERVED?[1]

Biological diversity, or biodiversity, is the range of life on our planet. A more thorough definition is presented by botanist Peter H. Raven: "At the simplest level, biodiversity is the sum total of all the plants, animals, fungi and microorganisms in the world, or in a particular area; all of their individual variation; and all of the interactions between them. It is the set of living organisms that make up the fabric of the planet Earth and allow it to function as it does, by capturing energy from the sun and using it to drive all of life's processes; by forming communities of organisms that have, through the several billion years of life's history on Earth, altered the nature of the atmosphere, the soil and the water of our Planet; and by making possible the sustainability of our planet through their life activities now" (Raven 1994).

It is not known how many species occur on our planet. Presently, about 1.4 million species have been named. It has been estimated that there are perhaps 9 million more that have not been identified. What is known is that they are vanishing at an unprecedented rate. Reliable estimates show extinction occurring at a rate several orders of magnitude above "background" in some ecological systems (Wilson 1992, Hoose 1981).

The reasons for protecting biological diversity are complex, but they fall into four major categories. First, loss of diversity generally weakens entire natural systems. Healthy ecosystems tend to have many natural checks and balances. Every species plays a role in maintaining this system. When simplified by the loss of diversity, the system becomes more susceptible to natural and artificial perturbations. The chances of a system-wide collapse increase. In parts of the midwestern United States, for example, it was only the remnant areas of natural prairies that kept soil intact during the dust bowl years of the 1930s (Roush 1982).

Simplified ecosystems are almost always expensive to maintain. For example, when synthetic chemicals are relied upon to control pests, the target species are not the only ones affected. Their predators are almost always killed or driven away, exasperating the pest problem. In the meantime, people are unintentionally breeding pesticide-resistant pests. A process has begun where people become perpetual guardians of the affected area, which requires the expenditure of financial resources and human ingenuity to keep the system going.

A second reason for protecting biological diversity is that it represents one of our greatest untapped resources. Great benefits can be reaped from a single species. About 20 species provide 90% of the world's food. Of these 20, just three, wheat, maize, and rice-supply over one half of that food. American wheat farmers need new varieties every five to 15 years to compete with pests and diseases. Wild strains of wheat are critical genetic reservoirs for these new varieties.

Further, every species is a potential source of human medicine. In 1980, a published report identified the market value of prescription drugs from higher plants at over $3 billion. Organic alkaloids, a class of

chemical compounds used in medicines, are found in an estimated 20% of plant species. Yet only 2% of plant species have been screened for these compounds (Hoose 1981).

The third reason for protecting diversity is that humans benefit from natural areas and depend on healthy ecosystems. The natural world supplies our air, our water, our food and supports human economic activity. Further, humans are creatures that evolved in a diverse natural environment between forest and grasslands. People need to be reassured that such places remain. When people speak of "going to the country," they generally mean more than getting out of town. For reasons of their own sanity and wellbeing, they need a holistic, organic experience. Prolonged exposure to urban monotony produces neuroses, for which cultural and natural diversity cure.

Historically, the lack of attention to biological diversity, and the ecological processes it supports, has resulted in economic hardships for segments of the basin's human population.

The final reason for protecting biological diversity is that species and natural systems are intrinsically valuable. The above reasons have focused on the benefits of the natural world to humans. All things possess intrinsic value simply because they exist.

BIOLOGICAL RESOURCES CONCERNING THE SUBJECT PARCEL

As part of the Natural Resources Information Report, staff checks office maps to determine if any nature preserves or ecologically sensitive areas are in the general vicinity of the parcel in question. If there is a nature preserve in the area, then that resource will be identified as part of the report. The SWCD recommends that every effort be made to protect that resource. Such efforts should include, but are not limited to erosion control, sediment control, stormwater management, and groundwater monitoring.

Office maps indicate that ecologically sensitive area(s) are located near the parcel in question (PIQ). Aux Sable Creek runs through the PIQ along the southwest boundary. A tributary to Aux Sable Creek appears to run through the southeast corner of the PIQ. The National Wetland Inventory identifies wetlands within the parcel boundary, and the Zone AE (100-year flood) floodway and floodplain are also within the parcel boundary according to FEMA flood map. Additionally, Baker Woods Forest Preserve is located approximately 650 feet northwest of the PIQ.

[1]Taken from *The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities*, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

SOILS INFORMATION

IMPORTANCE OF SOILS INFORMATION

Soils information comes from the Natural Resources Conservation Service Soil Maps and Descriptions for Kendall County. This information is important to all parties involved in determining the suitability of the proposed land use change.

Each soil polygon is given a number, which represents its soil type. The letter found after the soil type number indicates the soils slope class.

Each soil map unit has limitations for a variety of land uses such as septic systems, buildings with basements, and buildings without basements. It is important to remember that soils do not function independently of each other. The behavior of a soil depends upon the physical properties of adjacent soil types, the presence of artificial drainage, soil compaction, and its position in the local landscape.

The limitation categories (not limited, somewhat limited, or very limited) indicate the potential for difficulty in using that soil unit for the proposed activity and, thus, the degree of need for thorough soil borings and engineering studies. A limitation does not necessarily mean that the proposed activity cannot be done on that soil type. It does mean that the reasons for the limitation need to be thoroughly understood and dealt with to complete the proposed activity successfully. Very limited indicates that the proposed activity will be more difficult and costly to do on that soil type than on a soil type with a somewhat limited or not limited rating.

Soil survey interpretations are predictions of soil behavior for specified land uses and specified management practices. They are based on the soil properties that directly influence the specified use of the soil. Soil survey interpretations allow users of soil surveys to plan reasonable alternatives for the use and management of soils.

Soil interpretations do not eliminate the need for on-site study and testing of specific sites for the design and construction for specific uses. They can be used as a guide for planning more detailed investigations and for avoiding undesirable sites for an intended use. The scale of the maps and the range of error limit the use of the soil delineation.

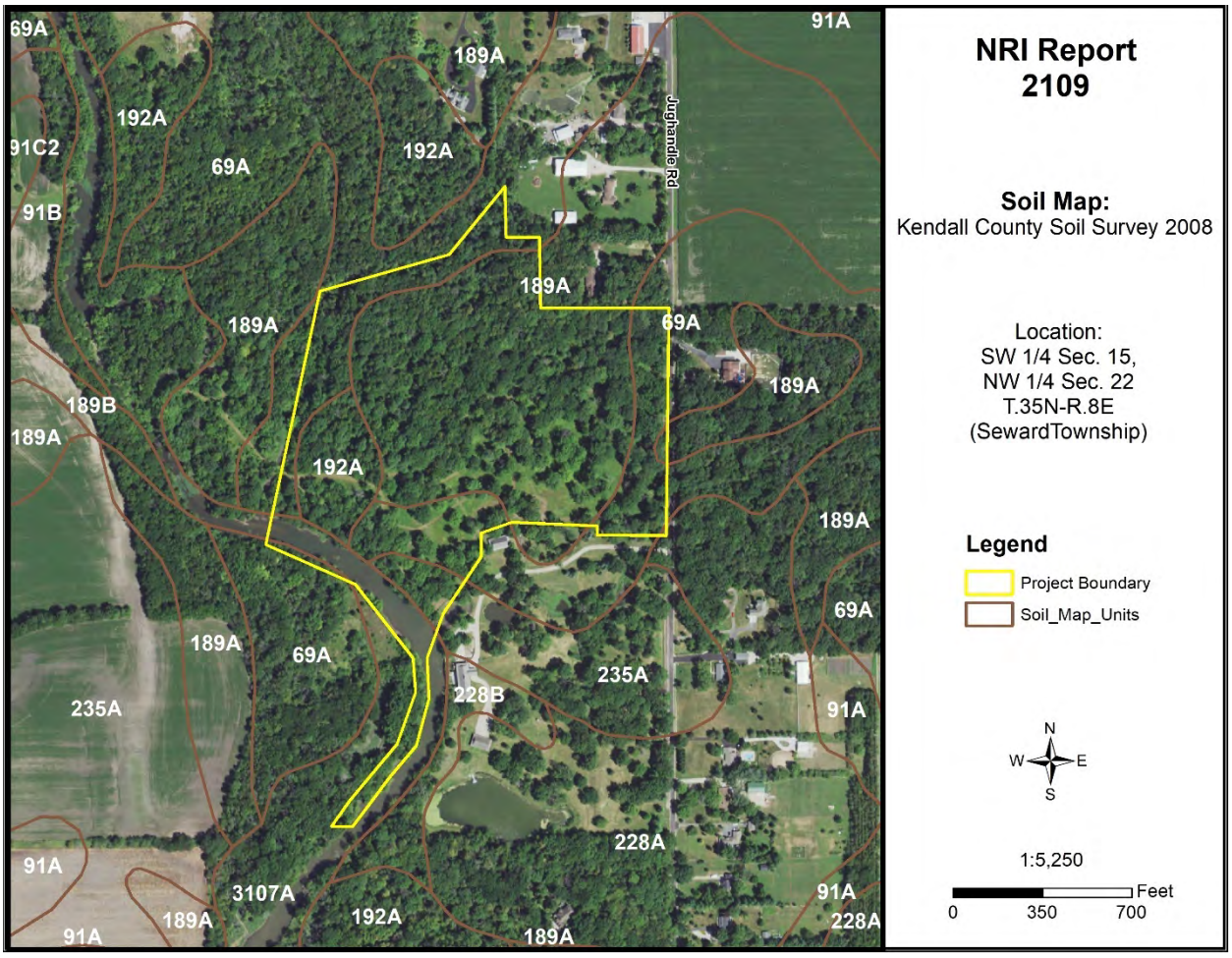


Figure 5: Soil Map

Table 3: Soil Map Unit Descriptions

Symbol	Descriptions	Acres	Percent
69A	Milford silty clay loam, 0-2% slopes	11.9	29.5%
189A	Martinton silt loam, 0-2% slopes	21.3	52.8%
192A	Del Rey silt loam, 0-2% slopes	3.3	8.1%
228A	Nappanee silt loam, 0-2% slopes	0.0	0.0%
235A	Bryce silty clay, 0-2% slopes	0.9	2.3%
3107A	Sawmill silty clay loam, heavy till plain, 0-2% slopes, frequently flooded	2.9	7.2%

Source: National Cooperative Soil Survey – USDA-NRCS

SOILS INTERPRETATIONS EXPLANATION

GENERAL – NONAGRICULTURAL

These interpretative ratings help engineers, planners, and others to understand how soil properties influence behavior when used for nonagricultural uses such as building site development or construction materials. This report gives ratings for proposed uses in terms of limitations and restrictive features. The tables list only the most restrictive features.

Other features may need treatment to overcome soil limitations for a specific purpose. Ratings come from the soil's "natural" state, that is, no unusual modification occurs other than that which is considered normal practice for the rated use. Even though soils may have limitations, an engineer may alter soil features or adjust building plans for a structure to compensate for most degrees of limitations. Most of these practices, however, are costly. The final decision in selecting a site for a particular use generally involves weighing the costs for site preparation and maintenance. Soil properties influence development of building sites, including the selection of the site, the design of the structure, construction, performance after construction, and maintenance. Soil limitation ratings of not limited, somewhat limited, and very limited are given for the types of proposed improvements that are listed or inferred by the petitioner as entered on the report application and/or zoning petition. The most common types of building limitation that this report gives limitations ratings for is septic systems. It is understood that engineering practices can overcome most limitations for buildings with and without basements, and small commercial buildings. Limitation ratings for these types of buildings are not commonly provided. Organic soils, when present on the parcel, are referenced in the hydric soils section of the report. This type of soil is considered unsuitable for all types of construction.

LIMIATIONS RATINGS

- **Not Limited:** This soil has favorable properties for the use. The degree of limitation is minor. The people involved can expect good performance and low maintenance.
- **Somewhat Limited**: This soil has moderately favorable properties for the use. Special planning, design, or maintenance can overcome this degree of limitation. During some part of the year, the expected performance is less desirable than for soils rated slight.
- **Very Limited**: This soil has one or more properties that are unfavorable for the rated use. These may include the following: steep slopes, bedrock near the surface, flooding, high shrink-swell potential, a seasonal high water table, or low strength. This degree of limitation generally requires major soil reclamation, special design, or intensive maintenance, which in most situations is difficult and costly.

BUILDING LIMITATIONS

BUILDING ON POORLY SUITED OR UNSUITABLE SOILS

Building on poorly suited or unsuitable soils can present problems to future property owners such as cracked foundations, wet basements, lowered structural integrity and high maintenance costs associated with these problems. The staff of the Kendall County SWCD strongly urges scrutiny by the plat reviewers when granting parcels with these soils exclusively.

Dwellings with Basements – Ratings are for undisturbed soil for a building structure of less than 3 stories with a basement. The foundation is assumed to be spread footings of reinforced concrete built on undisturbed soil at a depth of about 7 feet. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Dwellings without Basements – Ratings are for undisturbed soil for a house of three stories or less than 3 stories without a basement. The foundation is assumed to be spread footings of reinforced concrete at a depth of 2 feet or the depth of maximum frost penetration, whichever is deeper. The ratings for dwellings are based on soil properties that affect the capacity of the soil to support a load without movement and on the properties that affect excavation and construction costs.

Shallow Excavations – Trenches or holes dug to a maximum depth of 5 or 6 feet for utility lines, open ditches, or other purposes. Ratings are based on soil properties that influence the ease of digging and the resistance to sloughing.

Lawns and Landscaping – Require soils on which turf and ornamental trees and shrubs can be established and maintained (irrigation is not considered in the ratings). The ratings are based on the soil properties that affect plant growth and trafficability after vegetation is established.

Onsite Sewage Disposal – The factors considered are the characteristics and qualities of the soil that affect the limitations for absorbing waste from domestic sewage disposal systems. The major features considered are soil permeability, percolation rate, groundwater level, depth to bedrock, flooding hazards, and slope. The table below indicates soils that are deemed unsuitable per the Kendall County Subdivision Control Ordinance. Installation of an on-site sewage disposal system in soils designated as unsuitable may necessitate the installation of a non-conventional onsite sewage disposal system. For more information please contact the Kendall County Health Department – Environmental Health at (630) 553-9100 x8026.

Table 4: Building Limitations

Soil Type	Dwellings with Basements	Dwellings without Basements	Shallow Excavations	Lawns & Landscaping	Onsite Conventional Sewage Systems	Acres	%
69A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited**: Ponding; Depth to saturated zone; Unstable excavation walls; Dusty; Too clayey	**Very Limited:** Ponding; Depth to saturated zone; Dusty	**Unsuitable:** Wet	11.9	29.5%
189A	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Shrink-swell; Depth to saturated zone	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	21.3	52.8%
192A	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dusty; Unstable excavation walls; Too clayey	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	3.3	8.1%
228A	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Shrink-swell	**Very Limited:** Depth to saturated zone; Dense layer; Too clayey; Dusty; Unstable excavation walls	**Somewhat Limited:** Depth to saturated zone; Dusty	**Suitable**	0.0	0.0%
235A	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Too clayey; Unstable excavation walls; Dusty	**Very Limited:** Ponding; Depth to saturated zone; Too clayey; Dusty	**Unsuitable:** Wet	0.9	2.3%
3107A	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Shrink-swell	**Very Limited:** Ponding; Depth to saturated zone; Flooding; Dusty; Unstable excavation walls	**Very Limited:** Ponding; Flooding; Depth to saturated zone; Dusty	**Unsuitable:** Frequently flooded	2.9	7.2%
% Very Limited	**100%**	**100%**	**100%**	**39%**	**39%**		

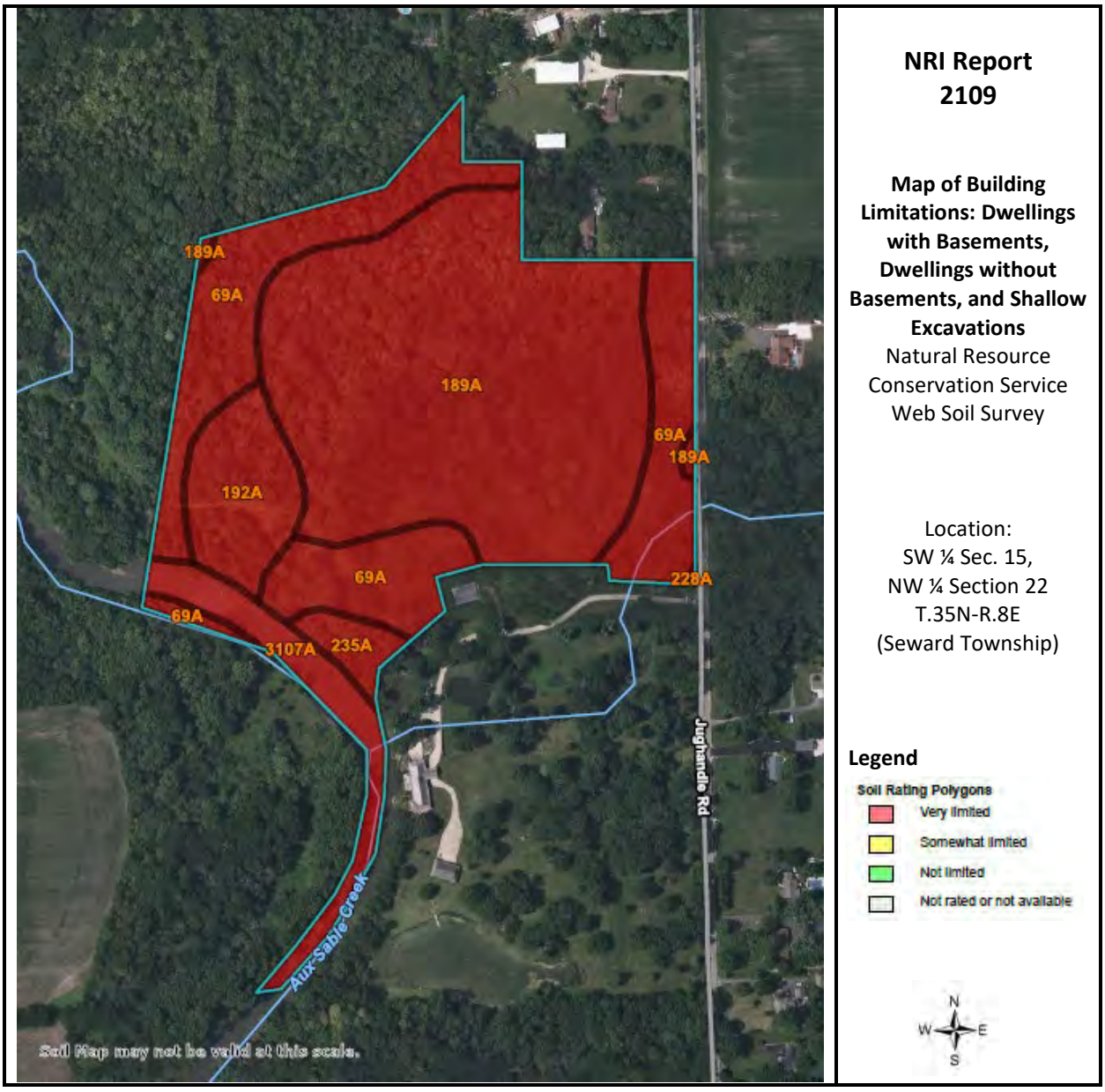


Figure 6A: Map of Building Limitations – Dwellings with Basements, Dwellings without Basements, and Shallow Excavations

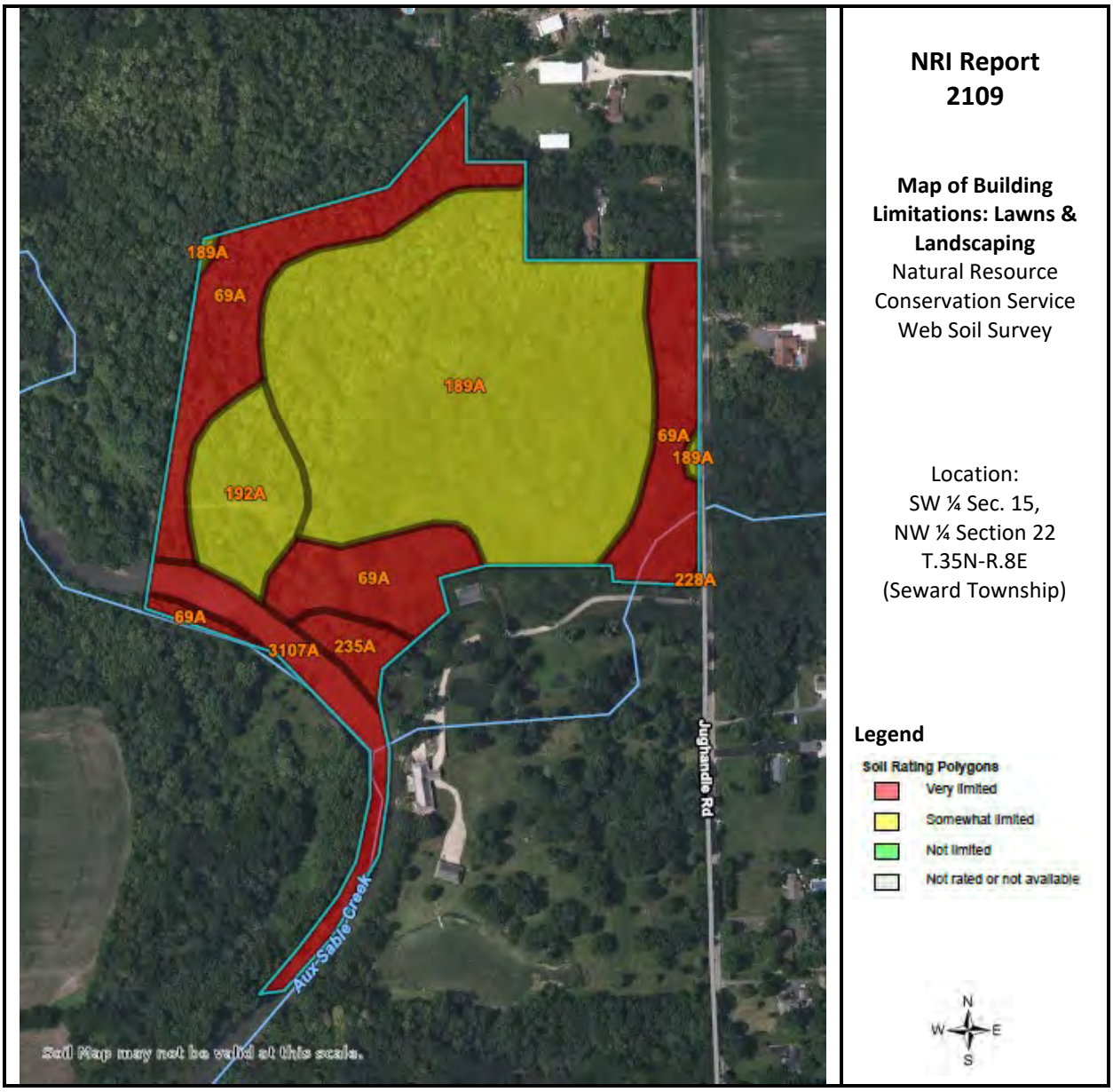


Figure 6B: Map of Building Limitations – Lawns & Landscaping

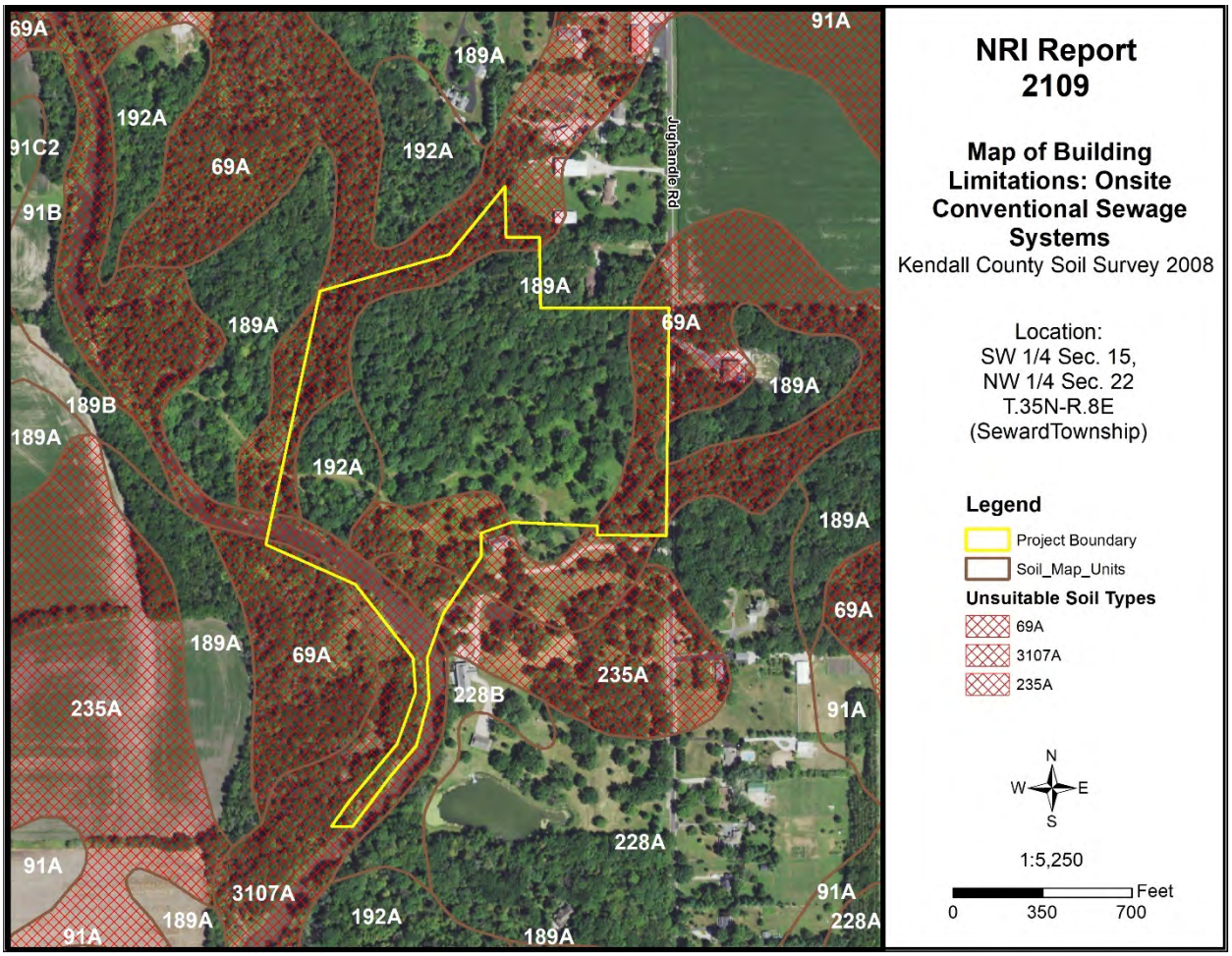


Figure 6C: Map of Building Limitations – Onsite Conventional Sewage System

SOIL WATER FEATURES

Table 5, below, gives estimates of various soil water features that should be taken into consideration when reviewing engineering for a land use project.

HYDROLOGIC SOIL GROUPS (HSGs) – The groups are based on estimates of runoff potential. Soils are assigned to one of four groups according to the rate of water infiltration when the soils are not protected by vegetation, are thoroughly wet, and receive precipitation from long-duration storms.

- **Group A:** Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.
- **Group B:** Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained, or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.
- **Group C:** Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.
- **Group D:** Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

Note: If a soil is assigned to a dual hydrologic group (A/D, B/D or C/D) the first letter is for drained areas and the second is for undrained areas.

SURFACE RUNOFF – Surface runoff refers to the loss of water from an area by flow over the land surface. Surface runoff classes are based upon slope, climate and vegetative cover and indicates relative runoff for very specific conditions (it is assumed that the surface of the soil is bare and that the retention of surface water resulting from irregularities in the ground surface is minimal). The classes are negligible, very low, low, medium, high, and very high.

MONTHS – The portion of the year in which a water table, ponding, and/or flooding is most likely to be a concern.

WATER TABLE – Water table refers to a saturated zone in the soil and the data indicates, by month, depth to the top (upper limit) and base (lower limit) of the saturated zone in most years. These estimates are based upon observations of the water table at selected sites and on evidence of a saturated zone (grayish colors or mottles (redoximorphic features)) in the soil. Note: A saturated zone that lasts for less than a month is not considered a water table.

PONDING – Ponding refers to standing water in a closed depression, and the data indicates surface water depth, duration, and frequency of ponding.

- **Duration:** Expressed as *very brief* if less than 2 days, *brief* if 2 to 7 days, *long* if 7 to 30 days and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* meaning ponding is not possible; *rare* means unlikely but possible under unusual weather conditions (chance of ponding is 0-5% in any year); *occasional* means that it occurs, on the average, once or less in 2 years (chance of ponding is 5 to 50% in any year); and frequent means that it occurs, on the average, more than once in 2 years (chance of ponding is more than 50% in any year).

FLOODING – The temporary inundation of an area caused by overflowing streams, by runoff from adjacent slopes, or by tides. Water standing for short periods after rainfall or snowmelt is not considered flooding, and water standing in swamps and marshes is considered ponding rather than flooding.

- **Duration:** Expressed as: *extremely brief* if 0.1 hour to 4 hours; *very brief* if 4 hours to 2 days; *brief* if 2 to 7 days; *long* if 7 to 30 days; and *very long* if more than 30 days.
- **Frequency:** Expressed as: *none* means flooding is not probable; *very rare* means that it is very unlikely but possible under extremely unusual weather conditions (chance of flooding is less than 1% in any year); *rare* means that it is unlikely but possible under unusual weather conditions (chance of flooding is 1 to 5% in any year); *occasional* means that it occurs infrequently under normal weather conditions (chance of flooding is 5 to 50% in any year but is less than 50% in all months in any year); and *very frequent* means that it is likely to occur very often under normal weather conditions (chance of flooding is more than 50% in all months of any year).

Note: The information is based on evidence in the soil profile. In addition, consideration is also given to local information about the extent and levels of flooding and the relation of each soil on the landscape to historic floods. Information on the extent of flooding based on soil data is less specific than that provided by detailed engineering surveys that delineate flood-prone areas at specific flood frequency levels.

Table 5: Water Features

Map Unit	Hydrologic Group	Surface Runoff	Water Table	Ponding	Flooding
69A	C/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
189A	C/D	Low	January – May **Upper Limit:** 1.0’-2.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
192A	C/D	Medium	January – May **Upper Limit:** 0.5’-2.0’ **Lower Limit:** 2.0’-4.5’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
228A	D	Medium	January – May **Upper Limit:** 0.5’-2.0’ **Lower Limit:** 2.0’-5.5’ June – December **Upper/Lower Limit**: --	January – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
235A	C/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – December **Duration**: -- **Frequency**: None
3107A	B/D	Negligible	January – May **Upper Limit:** 0.0’-1.0’ **Lower Limit:** 6.0’ June – December **Upper/Lower Limit**: --	January – May **Surface Water Depth:** 0.0’-0.5’ **Duration:** Brief (2 to 7 days) **Frequency:** Frequent June – December **Surface Water Depth**: -- **Duration**: -- **Frequency**: None	January – June **Duration**: Brief (2 to 7 days) **Frequency**: Frequent July – October **Duration**: -- **Frequency**: None November – December **Duration**: Brief (2 to 7 days) **Frequency**: Frequent

SOIL EROSION AND SEDIMENT CONTROL

Erosion is the wearing away of the soil by water, wind, and other forces. Soil erosion threatens the Nation's soil productivity and contributes the most pollutants in our waterways. Water causes about two thirds of erosion on agricultural land. Four properties, mainly, determine a soil's erodibility: texture, slope, structure, and organic matter content.

Slope has the most influence on soil erosion potential when the site is under construction. Erosivity and runoff increase as slope grade increases. The runoff then exerts more force on the particles, breaking their bonds more readily and carrying them farther before deposition. The longer water flows along a slope before reaching a major waterway, the greater the potential for erosion.

Soil erosion during and after this proposed construction can be a primary non-point source of water pollution. Eroded soil during the construction phase can create unsafe conditions on roadways, decrease the storage capacity of lakes, clog streams and drainage channels, cause deterioration of aquatic habitats, and increase water treatment costs. Soil erosion also increases the risk of flooding by choking culverts, ditches, and storm sewers and by reducing the capacity of natural and man-made detention facilities.

The general principles of erosion and sedimentation control measures include:

- Reducing or diverting flow from exposed areas, storing flows, or limiting runoff from exposed areas
- Staging construction to keep disturbed areas to a minimum
- Establishing or maintaining temporary or permanent groundcover
- Retaining sediment on site
- Properly installing, inspecting, and maintaining control measures

Erosion control practices are useful controls only if they are properly located, installed, inspected, and maintained.

The SWCD recommends an erosion and sediment control plan for all building sites, especially if there is a wetland or stream nearby.

Table 6: Soil Erosion Potential

Soil Type	Slope	Rating	Acreage	Percent of Parcel
69A	0-2%	Slight	11.9	29.5%
189A	0-2%	Slight	21.3	52.8%
192A	0-2%	Slight	3.3	8.1%
228A	0-2%	Slight	0.0	0.0%
235A	0-2%	Slight	0.9	2.3%
3107A	0-2%	Slight	2.9	7.2%

PRIME FARMLAND SOILS

Prime farmland soils are an important resource to Kendall County. Some of the most productive soils in the United States occur locally. Each soil map unit in the United States is assigned a prime or non-prime rating. Prime agricultural land does not need to be in the production of food & fiber.

Section 310 of the NRCS general manual states that urban or built-up land on prime farmland soils is not prime farmland. The percentages of soils map units on the parcel reflect the determination that urban or built up land on prime farmland soils is not prime farmland.

Table 7: Prime Farmland Soils

Soil Types	Prime Designation	Acreage	Percent
69A	Prime Farmland if drained	11.9	29.5%
189A	Prime Farmland	21.3	52.8%
192A	Prime Farmland if drained	3.3	8.1%
228A	Prime Farmland if drained	0.0	0.0%
235A	Prime Farmland if drained	0.9	2.3%
3107A	Prime Farmland if drained	2.9	7.2%
% Prime Farmland	**100%**		

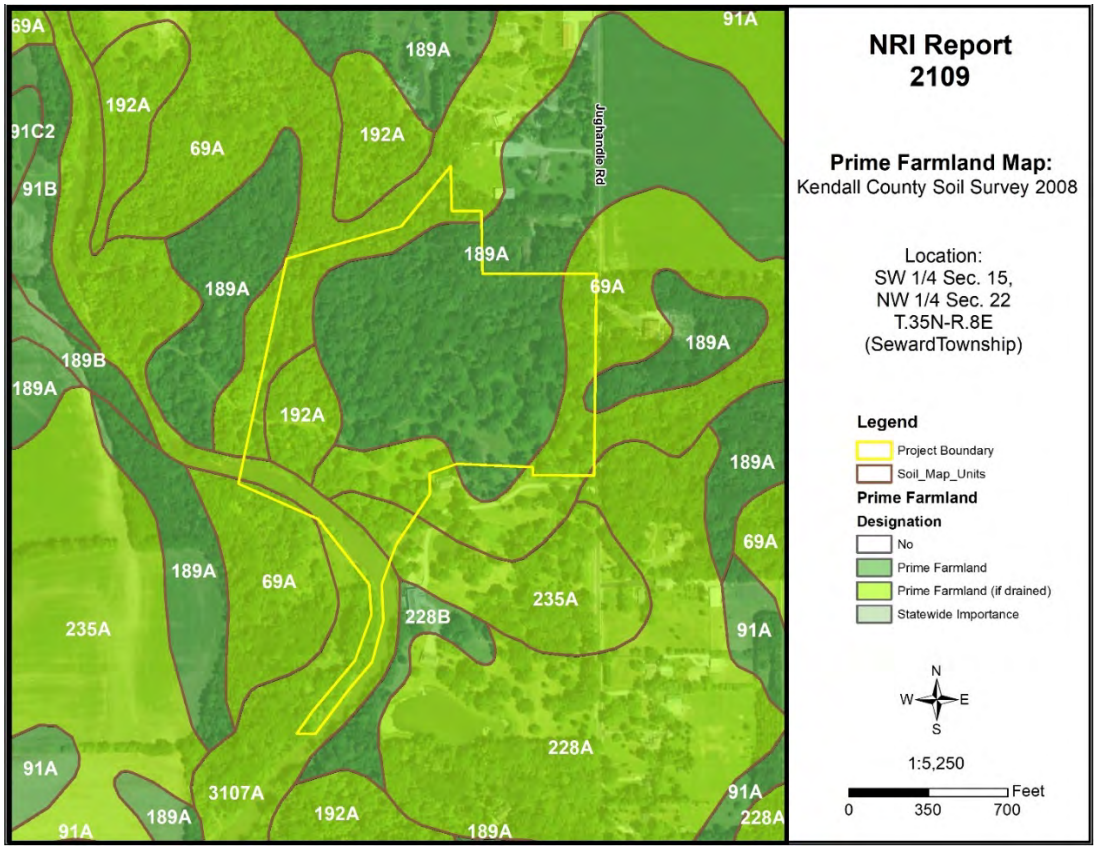


Figure 7: Map of Prime Farmland Soils

LAND EVALUATION AND SITE ASSESSMENT (LESA)

Decision-makers in Kendall County use the Land Evaluation and Site Assessment (LESA) system to determine the suitability of a land use change and/or a zoning request as it relates to agricultural land. The LESA system was developed by the United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) and takes into consideration local conditions such as physical characteristics of the land, compatibility of surrounding land-uses, and urban growth factors. The LESA system is a two-step procedure that includes:

LAND EVALUATION (LE)

The soils of a given area are rated and placed in groups ranging from the best to worst suited for a stated agriculture use, cropland, or forestland. The best group is assigned a value of 100, and all other groups are assigned lower values. The Land Evaluation is based on data from the Kendall County Soil Survey. The LE score is calculated by multiplying the relative value of each soil type by the number of acres of that soil. The sum of the products is then divided by the total number of acres; the answer is the Land Evaluation score on this site. The Kendall County Soil and Water Conservation District is responsible for this portion of the LESA system.

SITE ASSESSMENT (SA)

The site is numerically evaluated according to important factors that contribute to the quality of the site. Each factor selected is assigned values in accordance with the local needs and objectives. The value group is a predetermined value based upon prime farmland designation. The Kendall County LESA Committee is responsible for this portion of the LESA system.

Please Note: A land evaluation (LE) score will be compiled for every project parcel. However, when a parcel is located within municipal planning boundaries, a site assessment (SA) score is not compiled as the scoring factors are not applicable. As a result, only the LE score is available, and a full LESA score is unavailable for the parcel.

Table 8A: Land Evaluation Computation

Soil Type	Value Group	Relative Value	Acres	Product (Relative Value x Acres)
69A	3	87	11.9	1035.3
189A	2	94	21.3	2002.2
192A	4	79	3.3	260.7
228A	4	79	0.0	0
235A	3	87	0.9	78.3
3107A	3	87	2.9	252.3
Totals			**40.3**	**3628.8**
LE Calculation			(Product of relative value / Total Acres) 3628.8 / 40.3 = 90.04	
LE Score			**LE = 90**	

The Land Evaluation score for this site is 90, indicating that this site is designated as prime farmland that is well suited for agricultural uses considering the Land Evaluation score is above 80.

Table 8B: Site Assessment Computation

A.	**Agricultural Land Uses**	**Points**
	1. Percentage of area in agricultural uses within 1.5 miles of site. (20-10-5-0)	20
	2. Current land use adjacent to site. (30-20-15-10-0)	0
	3. Percentage of site in agricultural production in any of the last 5 years. (20-15-10-5-0)	0
	4. Size of site. (30-15-10-0)	15
B.	**Compatibility / Impact on Uses**	
	1. Distance from city or village limits. (20-10-0)	10
	2. Consistency of proposed use with County Land Resource Management Concept Plan and/or municipal comprehensive land use plan. (20-10-0)	0
	3. Compatibility of agricultural and non-agricultural uses. (15-7-0)	15
C.	**Existence of Infrastructure**	
	1. Availability of public sewage system. (10-8-6-0)	8
	2. Availability of public water system. (10-8-6-0)	8
	3. Transportation systems. (15-7-0)	15
	4. Distance from fire protection service. (10-8-6-2-0)	10
	Site Assessment Score:	**101**

The Site Assessment score for this site is 101. The Land Evaluation value (90) is added to the Site Assessment value (101) to obtain a LESA Score of 191. The table below shows the level of protection for the proposed project site based on the LESA Score.

Table 9: LESA Score Summary

LESA SCORE	LEVEL OF PROTECTION
0-200	Low
201-225	Medium
226-250	High
251-300	Very High

Land Evaluation Value: 90 + **Site Assessment Value:** 101 = **LESA Score: 191**

The LESA Score for this site is 191 which indicates a low level of protection for the proposed project site. Note: Selecting the project site with the lowest total points will generally protect the best farmland located in the most viable areas and maintain and promote the agricultural industry in Kendall County. If the project is agricultural in nature, however, a higher score may provide an indication of the suitability of the project as it relates to the compatibility with existing agricultural land use.

LAND USE PLANS

Many counties, municipalities, villages, and townships have developed land-use plans. These plans are intended to reflect the existing and future land-use needs of a given community. Please contact the Kendall County Planning, Building & Zoning for information regarding the County's comprehensive land use plan and map.

DRAINAGE, RUNOFF, AND FLOOD INFORMATION

U.S.G.S Topographic maps give information on elevations, which are important mostly to determine slopes, drainage directions, and watershed information.

Elevations determine the area of impact of floods of record. Slope information determines steepness and erosion potential. Drainage directions determine where water leaves the PIQ, possibly impacting surrounding natural resources.

Watershed information is given for changing land use to a subdivision type of development on parcels greater than 10 acres.

WHAT IS A WATERSHED?
Simply stated, a watershed is the area of land that contributes water to a certain point. The watershed boundary is important because the area of land in the watershed can now be calculated using an irregular shape area calculator such as a dot counter or planimeter.

Using regional storm event information, and site-specific soils and land use information, the peak stormwater flow through the point marked "○" for a specified storm event can be calculated. This value is called a "Q" value (for the given storm event) and is measured in cubic feet per second (CFS).

When construction occurs, the Q value naturally increases because of the increase in impermeable surfaces. This process decreases the ability of soils to accept and temporarily hold water. Therefore, more water runs off and increases the Q value.

Theoretically, if each development, no matter how large or small, maintains their preconstruction Q value after construction by the installation of stormwater management systems, the streams and wetlands and lakes will not suffer damage from excessive urban stormwater.

For this reason, the Kendall County SWCD recommends that the developer for intense uses such as a subdivision calculate the preconstruction Q value for the exit point(s). A stormwater management system

should be designed, installed, and maintained to limit the postconstruction Q value to be at or below the preconstruction value.

IMPORTANCE OF FLOOD INFORMATION

A floodplain is defined as land adjoining a watercourse (riverine) or an inland depression (non-riverine) that is subject to periodic inundation by high water. Floodplains are important areas demanding protection since they have water storage and conveyance functions which affect upstream and downstream flows, water quality and quantity, and suitability of the land for human activity. Since floodplains play distinct and vital roles in the hydrologic cycle, development that interferes with their hydrologic and biologic functions should be carefully considered.

Flooding is both dangerous to people and destructive to their properties. The following maps, when combined with wetland and topographic information, can help developers and future homeowners to "sidestep" potential flooding or ponding problems.

FIRM is the acronym for the Flood Insurance Rate Map, produced by the Federal Emergency Management Agency (FEMA). These maps define flood elevation adjacent to tributaries and major bodies of water and superimpose that onto a simplified USGS topographic map. The scale of the FIRM maps is generally dependent on the size and density of parcels in that area. (This is to correctly determine the parcel location and floodplain location.) The FIRM map has three (3) zones. Zone A includes the 100-year flood, Zone B or Zone X (shaded) is the 100 to 500-year flood, and Zone C or Zone X (unshaded) is outside the floodplain.

The Hydrologic Atlas (H.A.) Series of the Flood of Record Map is also used for the topographic information. This map is different from the FIRM map mainly because it will show isolated or pocketed flooded areas. Kendall County uses both these maps in conjunction with each other for flooded area determinations. The Flood of Record maps show the areas of flood for various years. Both maps stress that the recurrence of flooding is merely statistical. A 100-year flood may occur twice in one year, or twice in one week, for that matter.

It should be noted that greater floods than those shown on the two maps are possible. The flood boundaries indicated provide a historic record only until the map publication date. Additionally, these flood boundaries are a function of the watershed conditions existing when the maps were produced. Cumulative changes in runoff characteristics caused by urbanization can result in an increase in flood height of future flood episodes.

Floodplains play a vital role in reducing the flood damage potential associated with an urbanizing area and, when left in an undisturbed state, also provide valuable wildlife habitat benefits. If it is the petitioner's intent to conduct floodplain filling or modification activities, the petitioner, and the Unit of Government responsible need to consider the potentially adverse effects this type of action could have on adjacent properties. The change or loss of natural floodplain storage often increases the frequency and severity of flooding on adjacent property.

If the available maps indicate the presence of a floodplain on the PIQ, the petitioner should contact the IDOT-OWR and FEMA to delineate a floodplain elevation for the parcel. If a portion of the property is indeed floodplain, applicable state, county, and local regulations will need to be reflected in the site plans.

Another indication of flooding potential can be found in the soils information. Hydric soils indicate the presence of drainageways, areas subject to ponding, or a naturally occurring high water table. These need to be considered along with the floodplain information when developing the site plan and the stormwater management plan. Development on hydric soils can contribute to the loss of water storage within the soil and the potential for increased flooding in the area.

This parcel is located on fairly flat topography (slopes 0 to 2%) with an elevation of approximately 570' above sea level. According to the FIRM map, the parcel in question contains Zone AE (100-year flood) floodway and floodplain. The parcel drains south/southwest towards Aux Sable Creek.

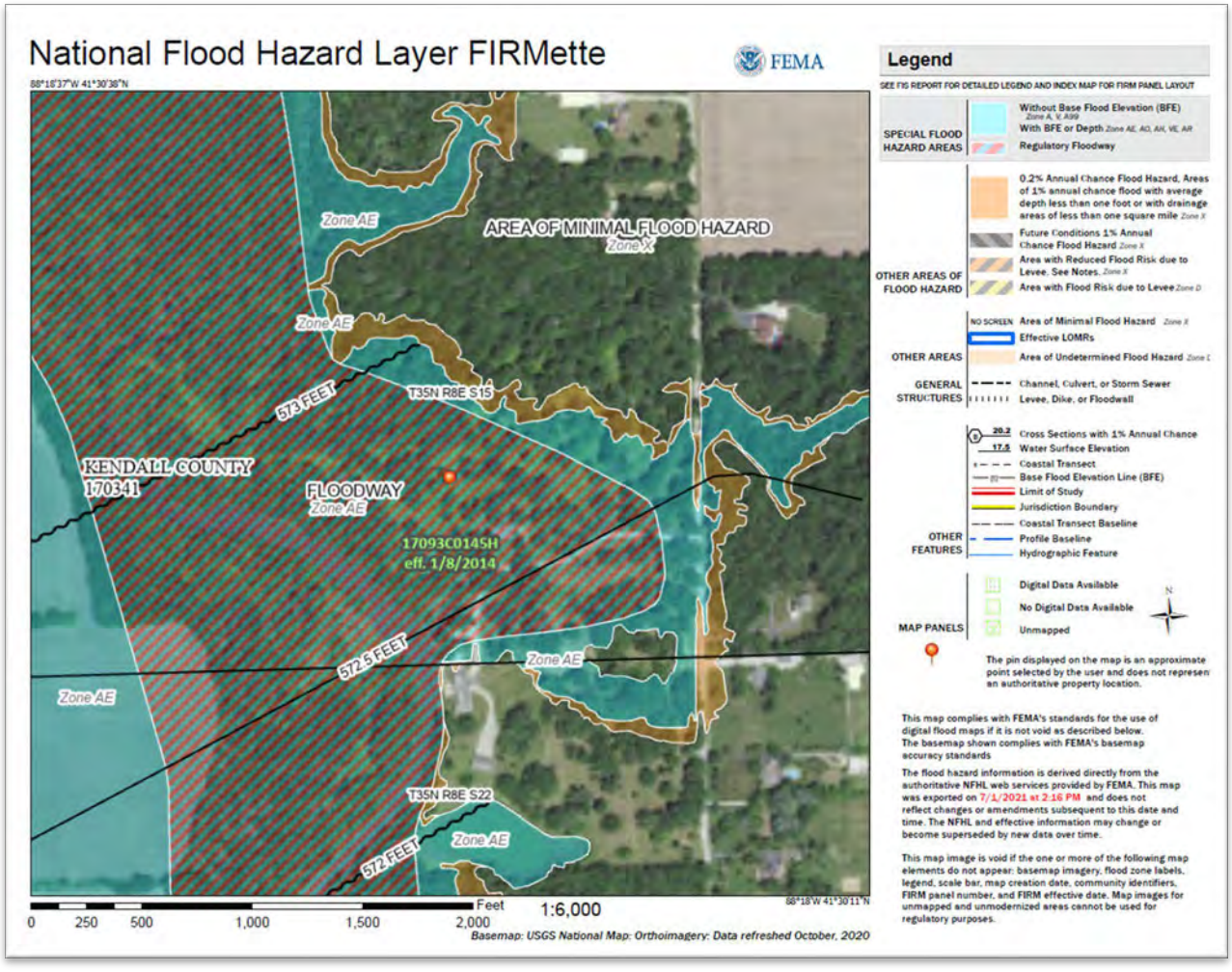


Figure 8: FEMA Floodplain Map

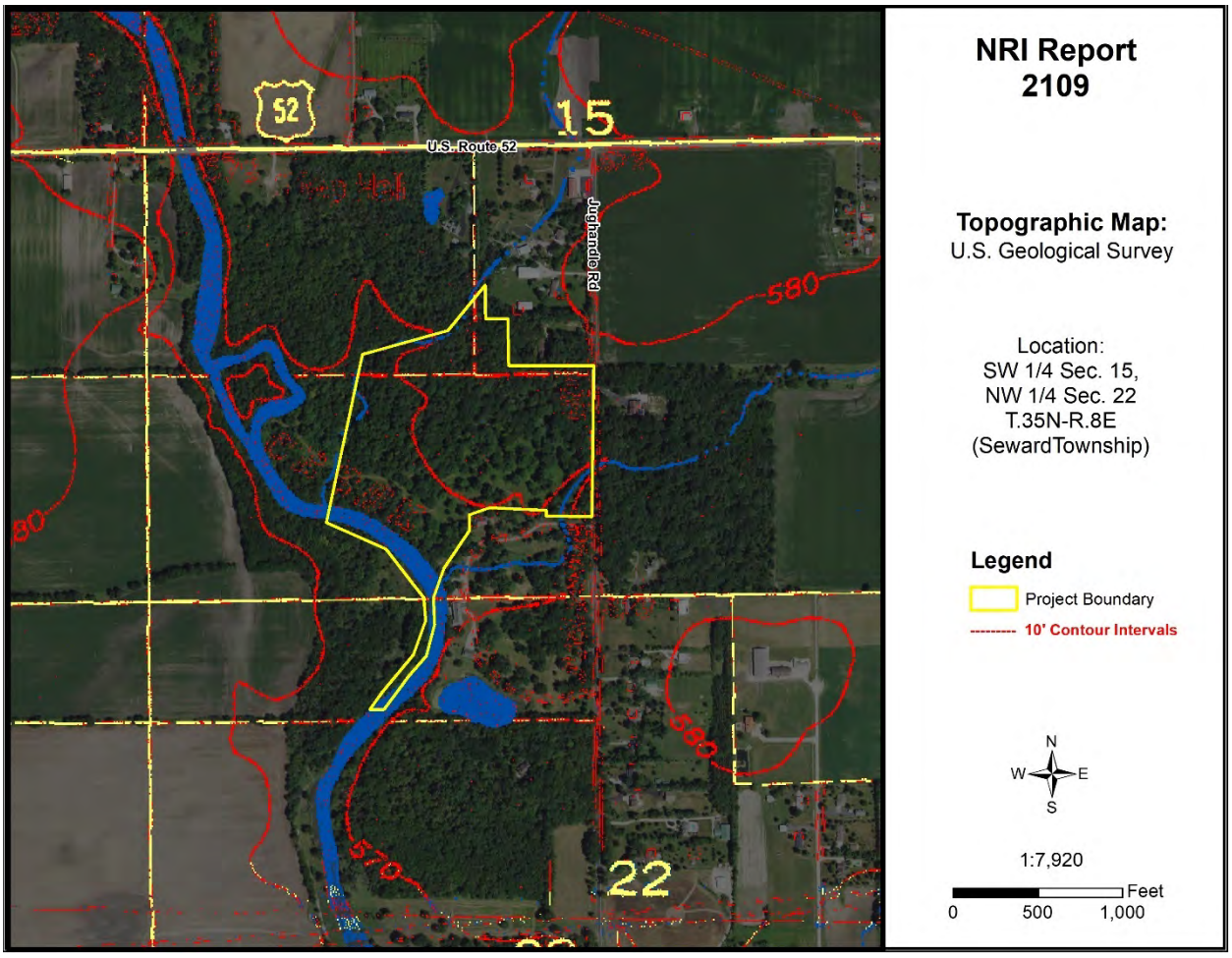


Figure 9: USGS Topographic Map

WATERSHED PLANS

WATERSHED AND SUB WATERSHED INFORMATION

A watershed is the area of land that drains into a specific point including a stream, lake, or other body of water. High points on the Earth's surface, such as hills and ridges define watersheds. When rain falls in the watershed, it flows across the ground towards a stream or lake. Rainwater carries pollutants such as oils, pesticides, and soil.

Everyone lives in a watershed. Their actions can impact natural resources and people living downstream. Residents can minimize this impact by being aware of their environment and the implications of their activities, implementing practices recommended in watershed plans, and educating others about their watershed.

The following are recommendations to developers for protection of this watershed:

- Preserve open space
- Maintain wetlands as part of development
- Use natural water management
- Prevent soil from leaving a construction site
- Protect subsurface drainage
- Use native vegetation
- Retain natural features
- Mix housing styles and types
- Decrease impervious surfaces
- Reduce area disturbed by mass grading
- Shrink lot size and create more open space
- Maintain historical and cultural resources
- Treat water where it falls
- Preserve views
- Establish and link trails

This parcel is located within the Upper Illinois River Watershed and the Minooka Branch Aux Sable Creek Sub Watershed.

WETLAND INFORMATION

IMPORTANCE OF WETLAND INFORMATION

Wetlands function in many ways to provide numerous benefits to society. They control flooding by offering a slow release of excess water downstream or through the soil. They cleanse water by filtering out sediment and some pollutants and can function as rechargers of our valuable groundwater. They also are essential breeding, rearing, and feeding grounds for many species of wildlife.

These benefits are particularly valuable in urbanizing areas as development activity typically adversely affects water quality, increases the volume of stormwater runoff, and increases the demand for groundwater. In an area where many individual homes rely on shallow groundwater wells for domestic water supplies, activities that threaten potential groundwater recharge areas are contrary to the public good. The conversion of wetlands, with their sediment trapping and nutrient absorbing vegetation, to biologically barren stormwater detention ponds can cause additional degradation of water quality in downstream or adjacent areas.

It has been estimated that over 95% of the wetlands that were historically present in Illinois have been destroyed while only recently has the true environmental significance of wetlands been fully recognized. America is losing 100,000 acres of wetland a year and has saved 5 million acres total (since 1934). One acre of wetland can filter 7.3 million gallons of water a year. These are reasons why our wetlands are high quality and important.

This section contains the NRCS (Natural Resources Conservation Service) Wetlands Inventory, which is the most comprehensive inventory to date. The NRCS Wetlands Inventory is reproduced from an aerial photo at a scale of 1" equals 660 feet. The NRCS developed these maps in cooperation with U.S. EPA (Environmental Protection Agency,) and the U.S. Fish and Wildlife Service, using the National Food Security Act Manual, 3rd Edition. The main purpose of these maps is to determine wetland areas on agricultural fields and areas that may be wetlands but are in a non-agriculture setting.

The NRCS Wetlands Inventory in no way gives an exact delineation of the wetlands, but merely an outline, or the determination that there is a wetland within the outline. For the final, most accurate wetland **determination** of a specific wetland, a wetland ***delineation*** must be certified by NRCS staff using the National Food Security Act Manual (on agricultural land.) On urban land, a certified wetland delineator must perform the delineation using the ACOE 1987 Manual. *See the glossary section for the definitions of "delineation" and "determination.*

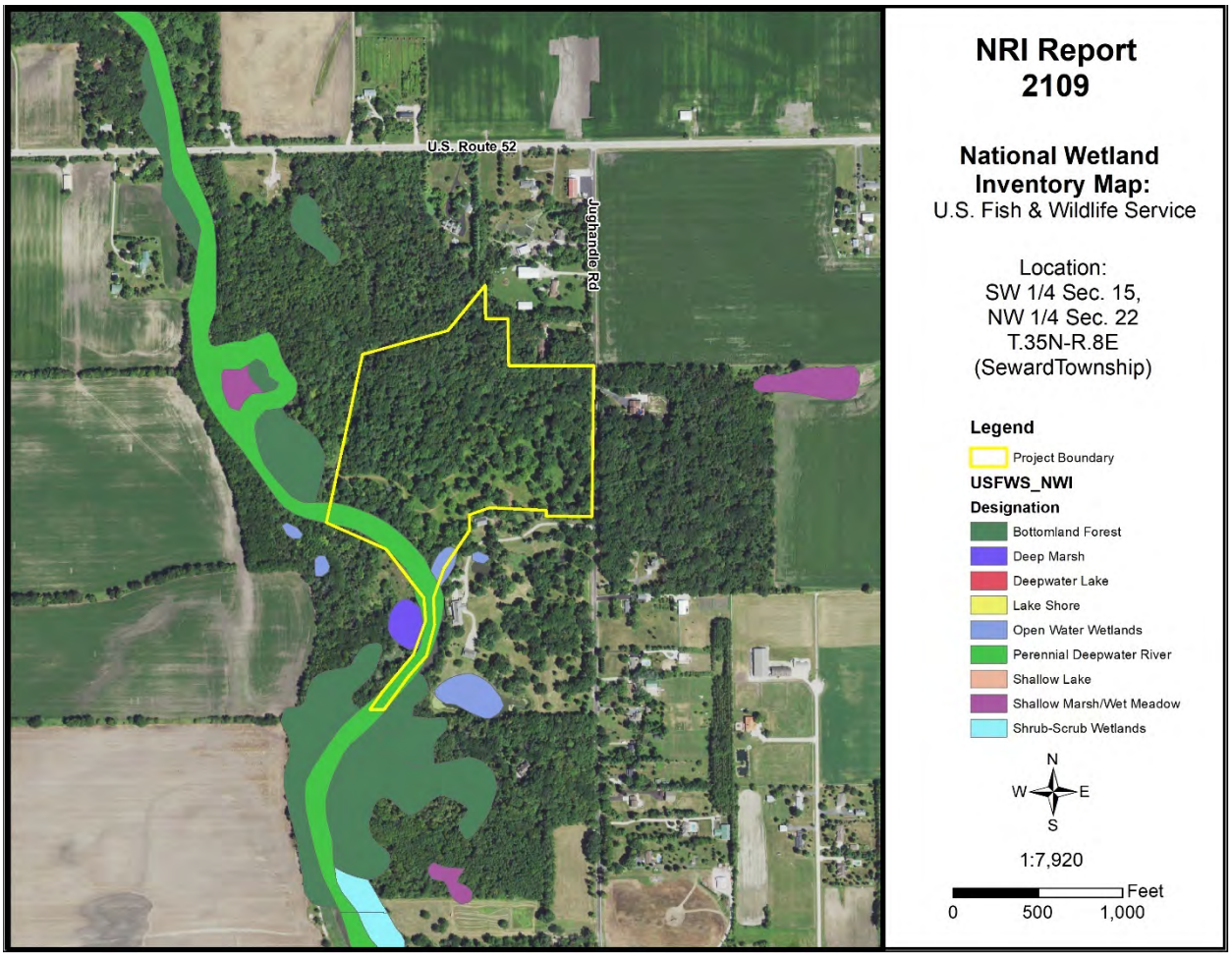


Figure 10: Wetland Map – USFWS National Wetland Inventory

Office maps indicate that mapped wetlands are present on the parcel in question (PIQ). The PIQ contains Open Water Wetlands and a Perennial Deepwater River (Aux Sable Creek) according to the National Wetland Inventory Map.

HYDRIC SOILS

Soils information gives another indication of flooding potential. The soils map on the following page indicates the soil(s) on the parcel that the Natural Resources Conservation Service indicates as hydric. Hydric soils, by definition, have seasonal high water at or near the soil surface and/or have potential flooding or ponding problems. All hydric soils range from poorly suited to unsuitable for building. One group of the hydric soils are the organic soils, which formed from dead organic material. Organic soils are unsuitable for building because of not only the high water table but also their subsidence problems.

It is important to add the possibility of hydric inclusions in a soil type. An inclusion is a soil polygon that is too small to appear on these maps. While relatively insignificant for agricultural use, hydric soil inclusions become more important to more intense uses such as a residential subdivision.

While considering hydric soils and hydric inclusions, it is noteworthy to mention that subsurface agriculture drainage tile occurs in almost all poorly drained and somewhat poorly drained soils. Drainage tile expedites drainage and facilitates farming. It is imperative that these drainage tiles remain undisturbed. A damaged subsurface drainage tile may return original hydrologic conditions to all the areas that drained through the tile (ranging from less than one acre to many square miles.)

For an intense land use, such as a subdivision, the Kendall County SWCD recommends the following: a topographical survey with 1 foot contour intervals to accurately define the flood area on the parcel, an intensive soil survey to define most accurately the locations of the hydric soils and inclusions, and a drainage tile survey on the area to locate the tiles that must be preserved to maintain subsurface drainage.

Table 10: Hydric Soils

Soil Types	Drainage Class	Hydric Designation	Hydric Inclusions Likely	Acreage	Percent
69A	Poorly Drained	Hydric	No	11.9	29.5%
189A	Somewhat Poorly Drained	Non-Hydric	Yes	21.3	52.8%
192A	Somewhat Poorly Drained	Non-Hydric	Yes	3.3	8.1%
228A	Somewhat Poorly Drained	Non-Hydric	Yes	0.0	0.0%
235A	Poorly Drained	Hydric	No	0.9	2.3%
3107A	Poorly Drained	Hydric	No	2.9	7.2%

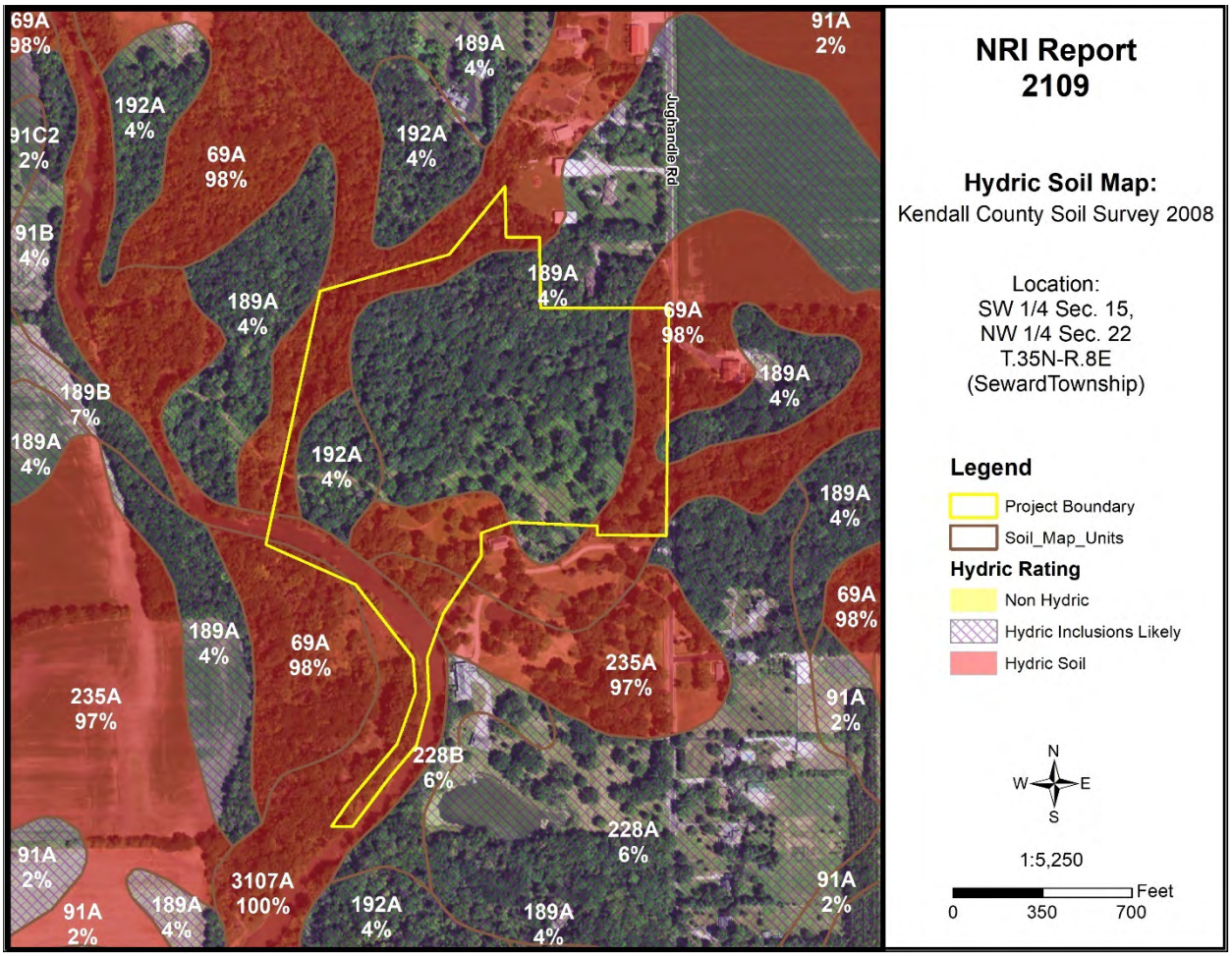


Figure 11: Hydric Soil Map

WETLAND AND FLOODPLAIN REGULATIONS

PLEASE READ THE FOLLOWING IF YOU ARE PLANNING TO DO ANY WORK NEAR A STREAM (THIS INCLUDES SMALL UNNAMED STREAMS), LAKE, WETLAND OR FLOODWAY.

The laws of the United States and the State of Illinois assign certain agencies specific and different regulatory roles to protect the waters within the State's boundaries. These roles, when considered together, include protection of navigation channels and harbors, protection against floodway encroachments, maintenance and enhancement of water quality, protection of fish and wildlife habitat and recreational resources, and, in general, the protection of total public interest. Unregulated use of the waters within the State of Illinois could permanently destroy or alter the character of these valuable resources and adversely impact the public. Therefore, please contact the proper regulatory authorities when planning any work associated with Illinois waters so that proper consideration and approval can be obtained.

WHO MUST APPLY?

Anyone proposing to dredge, fill, rip rap, or otherwise alter the banks or beds of, or construct, operate, or maintain any dock, pier, wharf, sluice, dam, piling, wall, fence, utility, floodplain or floodway subject to State or Federal regulatory jurisdiction should apply for agency approvals.

REGULATORY AGENCIES

- **Wetland or U.S. Waters**: U.S. Army Corps of Engineers, Rock Island District, Clock Tower Building, Rock Island, IL
- **Floodplains**: Illinois Department of Natural Resources/Office of Water Resources, Natural Resources Way, Springfield, IL 62702-1270.
- **Water Quality/Erosion Control**: Illinois Environmental Protection Agency, Springfield, IL

COORDINATION

We recommend early coordination with the regulatory agencies BEFORE finalizing work plans. This allows the agencies to recommend measures to mitigate or compensate for adverse impacts. Also, the agency can make possible environmental enhancement provisions early in the project planning stages. This could reduce time required to process necessary approvals.

CAUTION: Contact with the United States Army Corps of Engineers is strongly advised before commencement of any work in or near a Waters of the United States. This could save considerable time and expense. Persons responsible for willful and direct violation of Section 10 of the River and Harbor Act of 1899 or Section 404 of the Federal Water Pollution Control Act are subject to fines ranging up to $27,500 per day of violation and imprisonment for up to one year or both.

GLOSSARY

AGRICULTURAL PROTECTION AREAS (AG AREAS) - Allowed by P.A. 81-1173. An AG AREA consists of a minimum of 350 acres of farmland, as contiguous and compact as possible. Petitioned by landowners, AG AREAS protect for a period of ten years initially, then reviewed every eight years thereafter. AG AREA establishment exempts landowners from local nuisance ordinances directed at farming operations, and designated land cannot receive special tax assessments on public improvements that do not benefit the land, e.g. water and sewer lines.

AGRICULTURE - The growing, harvesting and storing of crops including legumes, hay, grain, fruit and truck or vegetable including dairying, poultry, swine, sheep, beef cattle, pony and horse production, fur farms, and fish and wildlife farms; farm buildings used for growing, harvesting and preparing crop products for market, or for use on the farm; roadside stands, farm buildings for storing and protecting farm machinery and equipment from the elements, for housing livestock or poultry and for preparing livestock or poultry products for market; farm dwellings occupied by farm owners, operators, tenants or seasonal or year around hired farm workers.

B.G. - Below Grade. Under the surface of the Earth.

BEDROCK - Indicates depth at which bedrock occurs. Also lists hardness as rippable or hard.

FLOODING - Indicates frequency, duration, and period during year when floods are likely to occur.

HIGH LEVEL MANAGEMENT - The application of effective practices adapted to different crops, soils, and climatic conditions. Such practices include providing for adequate soil drainage, protection from flooding, erosion and runoff control, near optimum tillage, and planting the correct kind and amount of high-quality seed. Weeds, diseases, and harmful insects are controlled. Favorable soil reaction and near optimum levels of available nitrogen, phosphorus, and potassium for individual crops are maintained. Efficient use is made of available crop residues, barnyard manure, and/or green manure crops. All operations, when combined efficiently and timely, can create favorable growing conditions and reduce harvesting losses -- within limits imposed by weather.

HIGH WATERTABLE - A seasonal high watertable is a zone of saturation at the highest average depth during the wettest part of the year. May be apparent, perched, or artesian kinds of water tables.

- **Watertable, Apparent**: A thick zone of free water in the soil. An apparent water table is indicated by the level at which water stands in an uncased borehole after adequate time is allowed for adjustment in the surrounding soil.
- **Watertable, Artesian**: A water table under hydrostatic head, generally beneath an impermeable layer. When this layer is penetrated, the water level rises in an uncased borehole.
- **Watertable, Perched**: A water table standing above an unsaturated zone. In places an upper, or perched, water table is separated from a lower one by a dry zone.

DELINEATION - For Wetlands: A series of orange flags placed on the ground by a certified professional that outlines the wetland boundary on a parcel.

DETERMINATION - A polygon drawn on a map using map information that gives an outline of a wetland.

HYDRIC SOIL - This type of soil is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions in the upper part (USDA Natural Resources Conservation Service 1987).

INTENSIVE SOIL MAPPING - Mapping done on a smaller more intensive scale than a modern soil survey to determine soil properties of a specific site, e.g. mapping for septic suitability.

LAND EVALUATION AND SITE ASSESSMENT (L.E.S.A.) - LESA is a systematic approach for evaluating a parcel of land and to determine a numerical value for the parcel for farmland preservation purposes.

MODERN SOIL SURVEY - A soil survey is a field investigation of the soils of a specific area, supported by information from other sources. The kinds of soil in the survey area are identified and their extent shown on a map, and an accompanying report describes, defines, classifies, and interprets the soils. Interpretations predict the behavior of the soils under different used and the soils' response to management. Predictions are made for areas of soil at specific places. Soils information collected in a soil survey is useful in developing land-use plans and alternatives involving soil management systems and in evaluating and predicting the effects of land use.

PALUSTRINE - Name given to inland freshwater wetlands.

PERMEABILITY - Values listed estimate the range (in rate and time) it takes for downward movement of water in the major soil layers when saturated but allowed to drain freely. The estimates are based on soil texture, soil structure, available data on permeability and infiltration tests, and observation of water movement through soils or other geologic materials.

PIQ - Parcel in question

POTENTIAL FROST ACTION - Damage that may occur to structures and roads due to ice lens formation causing upward and lateral soil movement. Based primarily on soil texture and wetness.

PRIME FARMLAND - Prime farmland soils are lands that are best suited to food, feed, forage, fiber and oilseed crops. It may be cropland, pasture, woodland, or other land, but it is not urban and built up land or water areas. It either is used for food or fiber or is available for those uses. The soil qualities, growing season, and moisture supply are those needed for a well-managed soil economically to produce a sustained high yield of crops. Prime farmland produces in highest yields with minimum inputs of energy and economic resources and farming the land results in the least damage to the environment. Prime farmland has an adequate and dependable supply of moisture from precipitation or irrigation. The temperature and growing season are favorable. The level of acidity or alkalinity is acceptable. Prime farmland has few or no rocks and is permeable to water and air. It is not excessively erodible or saturated

with water for long periods and is not frequently flooded during the growing season. The slope ranges mainly from 0 to 5 percent (USDA Natural Resources Conservation Service).

PRODUCTIVITY INDEXES - Productivity indexes for grain crops express the estimated yields of the major grain crops grown in Illinois as a single percentage of the average yields obtained under basic management from several of the more productive soils in the state. This group of soils is composed of the Muscatine, Ipava, Sable, Lisbon, Drummer, Flanagan, Littleton, Elburn and Joy soils. Each of the 425 soils found in Illinois are found in Circular 1156 from the Illinois Cooperative Extension Service.

SEASONAL - When used in reference to wetlands indicates that the area is flooded only during a portion of the year.

SHRINK-SWELL POTENTIAL - Indicates volume changes to be expected for the specific soil material with changes in moisture content.

SOIL MAPPING UNIT - A map unit is a collection of soil areas of miscellaneous areas delineated in mapping. A map unit is generally an aggregate of the delineations of many different bodies of a kind of soil or miscellaneous area but may consist of only one delineated body. Taxonomic class names and accompanying phase terms are used to name soil map units. They are described in terms of ranges of soil properties within the limits defined for taxa and in terms of ranges of taxadjuncts and inclusions.

SOIL SERIES - A group of soils, formed from a particular type of parent material, having horizons that, except for texture of the A or surface horizon, are similar in all profile characteristics and in arrangement in the soil profile. Among these characteristics are color, texture, structure, reaction, consistence, and mineralogical and chemical composition.

SUBSIDENCE - Applies mainly to organic soils after drainage. Soil material subsides due to shrinkage and oxidation.

TERRAIN - The area or surface over which a particular rock or group of rocks is prevalent.

TOPSOIL - That portion of the soil profile where higher concentrations of organic material, fertility, bacterial activity and plant growth take place. Depths of topsoil vary between soil types.

WATERSHED - An area of land that drains to an associated water resource such as a wetland, river or lake. Depending on the size and topography, watersheds can contain numerous tributaries, such as streams and ditches, and ponding areas such as detention structures, natural ponds and wetlands.

WETLAND - An area that has a predominance of hydric soils and that is inundated or saturated by surface or groundwater at a frequency and duration sufficient enough to support, and under normal circumstances does support, a prevalence of hydrophytic vegetation typically adapted for life in saturated soil conditions.

REFERENCES

Hydric Soils of the United States. USDA Natural Resources Conservation Service, 2007.

DFIRM – Digital Flood Insurance Rate Maps for Kendall County. Prepared by FEMA – Federal Emergency Management Agency.

Hydrologic Unit Map for Kendall County. Natural Resources Conservation Service, United States Department of Agriculture.

Land Evaluation and Site Assessment System. The Kendall County Department of Planning Building and Zoning, and The Kendall County Soil and Water Conservation District. In cooperation with: USDA, Natural Resources Conservation Service.

Soil Survey of Kendall County. United States Department of Agriculture 2008, Natural Resources Conservation Service.

Illinois Urban Manual. Association of Illinois Soil & Water Conservation Districts, 2020.

Kendall County Land Atlas and Plat Book. 21st Edition, 2021.

Potential For Contamination of Shallow Aquifers from Land Burial of Municipal Wastes. Illinois State Geological Survey.

Natural Resources Conservation Service National Wetland Inventory Map. United States Department of Agriculture.

Geologic Road Map of Illinois. Department of Natural Resources, Illinois State Geological Survey, Natural Resources Building, 615 East Peabody, Champaign IL 61820-6964.

Wetlands - The Corps of Engineers' Administration of the Section 404 Program (GAO/RCED-88-110).

Soil Erosion by Water - United States Department of Agriculture Natural Resources Conservation Service. Agriculture Information Bulletin 513.

The Conservation of Biological Diversity in the Great Lakes Ecosystem: Issues and Opportunities, prepared by the Nature Conservancy Great Lakes Program 79W. Monroe Street, Suite 1309, Chicago, IL 60603, January 1994.

ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
August 3, 2021 – Unapproved Meeting Minutes

PBZ Chairman Scott Gengler called the meeting to order at 9:00 a.m.

Present:
Matt Asselmeier – PBZ Department
Meagan Briganti – GIS (Arrived at 9:02 a.m.)
Scott Gengler – PBZ Committee Chair
Brian Holdiman – PBZ Department
Commander Jason Langston – Sheriff's Department
Alyse Olson – Soil and Water Conservation District
Aaron Rybski – Health Department

Absent:
Greg Chismark – WBK Engineering, LLC
David Guritz – Forest Preserve
Fran Klaas – Highway Department

Audience:
Dan Kramer

PETITIONS

Petition 21-28 Brian and Jennifer Gore
Mr. Asselmeier summarized the request.

Brian and Jennifer Gore are requesting a map amendment rezoning approximately twelve point six (12.6) more or less acres from A-1 to R-1 in order to construct two (2) houses on the subject property after rezoning.

At the time of application submittal, the subject property was part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. Tract 3, which was approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 was approximately seven (7) acres in size. Tract 2 was approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The application materials, the aerial of the entire property in its configuration at the time of application submittal, the aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands was provided.

The property was located on the west side of Jughandle Road across from 14776 Jughandle Road.

The current land use was Agricultural/Wooded.

The Future Land Use Map called for the area to be Rural Residential.

Jughandle Road was a Township maintained local road.

Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south side of the property. Approximately, 4.8 acres of Tract 1 and 3.0 acres of Tract 2 were outside the 100-year floodplain. There was a riverine on the southeast corner of the property.

The adjacent land uses were Agricultural, Wooded, and Single-Family Residential.

The adjacent zonings were A-1 and R-1.

The Land Resource Management Plan called for the area to be Rural Residential.

The zonings within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD, and R-3.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres.

EcoCAT Report submitted and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (Moxostoma valenciennesi). Consultation was terminated because adverse effects were unlikely.

The application for NRI was submitted on June 22, 2021. The LESA Score was 191 indicating a low level of protection.

Petition information was sent to Seward Township on July 7, 2021.

Petition information was sent to the Village of Shorewood on July 7, 2021.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

The Petitioner desireed to rezone the subject property in order to build two (2) houses on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Jughandle Road.

Any new driveways constructed would be for residential purposes.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise is anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Dan Kramer, Attorney for the Petitioners, explained the history of the property. The Petitioners desire the rezoning in order to construct two (2) homes for their adult children. The driveway/private road would be outside the floodplain.

Mr. Rybski noted that the lot could have difficulty supporting a traditional septic system.

Ms. Olson requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. She requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. She noted that the entire parcel has issues related to having a residential home on the property. She also suggested having a wetland delineation.

Mr. Asselmeier made a motion, seconded by Mr. Holdiman, to recommend approval of the proposal.

With a voice vote of seven (7) ayes, the motion carried.

The proposal goes to the Kendall County Regional Planning Commission on August 25, 2021.

PUBLIC COMMENT

Mr. Asselmeier reported that at least one (1) application for a special use permit for a landscaping business will be on the September agenda.

ADJOURNMENT

Mr. Rybski made a motion, seconded by Ms. Briganti, to adjourn.

With a voice vote of seven (7) ayes, the motion carried.

The ZPAC, at 9:21 a.m., adjourned.

Respectfully Submitted,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
ZONING & PLATTING ADVISORY COMMITTEE
AUGUST 3, 2021

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)
Dr. Kramer	[redacted]	21+27 +21+28

SEWARD TOWNSHIP PLAN COMMISSION MINUTES

August 12, 2021

The Seward Township Plan Commission met on August 12, 2021 at 7:00 p.m. at the Seward Town Hall. Members present included Jessica Nelsen, Anne Vickery and Suzanne Casey. Jill Prodehl and Joan Soltwisch were unable to attend. Following the pledge to the flag and approval of the May 13, 2021 minutes, a presentation by Attorney Dan Kramer on behalf of two clients/petitioners began.

Petition 21-27 (Paul Kovacevich/Tri-Star Development) is requesting a map amendment from A-1 to R-1. (PIN 09-15-300-020) Discussion included any flood plain issues/wetland studies, any conservation concerns re: a future trail system that might be placed along the AuxSable Creek, and the parties' awareness of home construction issues in such parcels. The bulk of the parcel will remain in Agricultural, with this one parcel allowing family to build a home. Following discussion that satisfied any concerns, Anne Vickery moved approval, seconded by Suzanne Casey, with motion passing.

Petition 21-28(Brian and Jennifer Gore) is also requesting a rezoning from A-1 to R-1 for purposes of building homes on potentially 2 lots, again by family members.(PIN 09-15-300-021). This parcel has ample property to allow two homes to be built on high and dry land. Again the major portion of the parcel will remain A-1. After discussion, Suzanne Casey moved approval, seconded by Anne Vickery.

Under Old Business, a review of recently approved projects revealed that the T&Z Landscape Business on Rt. 52 near County Line Road seemed to have complied with all requests and has an attractive business operation. There was also discussion of growing mounds of dirt at the corner of Rt. 52 and County Line,(northwest side), with explanation from Dan Kramer that some parties had been dumping without permission for some time, and were finally terminated recently. Now piles of dirt need to be removed in order for the Sports Dome construction to proceed.

Further old business included the Sports Dome to be constructed on County Line just north of Route 52, with Dan Kramer able to report that construction is beginning and will include the Sports Dome in the back/west, 4 seasons storage in the middle, (67,000 sq. ft. of storage), and several business opportunities, (i,e,, a strip mall), in the front/east side.

The Doggie Day Care at the corner of Bell and Ridge Road had no significant updates, but seems on target for opening in the Fall, 2021.(proposal previously reviewed by this committee).

Under New business, beyond the approval of the petitions described above, the group discussed a routine meeting time. Previously, meetings had occurred prior to the monthly Township Board meetings at 7:30-2nd Tuesday of the month. Further discussion including other committee members will occur to assure a time when all can participate with ample time for agenda items to occur.

Anne Vickery reported that she had stopped to see Matt Asselmeier and had a conversation with him regarding issues with businesses that are operating in the Township, some without a special use permit from the Kendall County Board. This will be an ongoing topic of this committee's work moving forward.

Finally, the Seward Plan Commission will discuss further a Vision/Plan for the Township moving forward that results in desirable outcomes for the township as it grows. More discussion to occur on this topic. With that template, reviewing proposals will be viewed against the most desirable future in the township.

The meeting adjourned at 8:05 p.m.

Minutes submitted by Suzanne Casey

August 15, 2021

Matt Asselmeier

From: Engel_Natalie <nengel@vil.shorewood.il.us>
Sent: Friday, August 20, 2021 12:10 PM
To: Matt Asselmeier; Chrisse_Kelley
Subject: [External]RE: Kendall County Petitions 21-27 and 21-28 Question

Hello Matt,

The proposal is consistent with our comprehensive plan. We do not have any concerns or comments to share on this project.

Thank you for reaching out.

Natalie Engel, AICP
Village Planner
Shorewood
ILLINOIS
Village of Shorewood
One Towne Center Blvd | Shorewood, IL 60404
815.553.2314

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Monday, August 16, 2021 9:26 AM
To: Chrisse_Kelley <kchrisse@vil.shorewood.il.us>; Engel_Natalie <nengel@vil.shorewood.il.us>
Subject: Kendall County Petitions 21-27 and 21-28 Question

Natalie and Kelley:

Will the Village of Shorewood be submitting comments regarding the Tri-Star and Gore rezoning requests?

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

KENDALL COUNTY
REGIONAL PLANNING COMMISSION

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

Unapproved - Meeting Minutes of August 25, 2021 - 7:00 p.m.

Chairman Ashton called the meeting to order at 7:03 p.m.

ROLL CALL

Members Present: Bill Ashton, Roger Bledsoe, Tom Casey, Larry Nelson, Ruben Rodriguez, and Claire Wilson
Members Absent: Dave Hamman, Karin McCarthy-Lange, Bob Stewart, and Seth Wormley
Staff Present: Matthew H. Asselmeier, Senior Planner
Others Present: Dan Kramer

PETITIONS

Petition 21-28 Brian and Jennifer Gore

Mr. Asselmeier summarized the request.

Brian and Jennifer Gore are requesting a map amendment rezoning approximately twelve point six (12.6) more or less acres from A-1 to R-1 in order to construct two (2) houses on the subject property after rezoning.

At the time of application submittal, the subject property was part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. Tract 3, which was approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 was approximately seven (7) acres in size. Tract 2 was approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The application materials, the aerial of the entire property in its configuration at the time of application submittal, the aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands was provided.

The property was located on the west side of Jughandle Road across from 14776 Jughandle Road.

The current land use was Agricultural/Wooded.

The Future Land Use Map called for the area to be Rural Residential.

Jughandle Road was a Township maintained local road.

Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south side of the property. Approximately, 4.8 acres of Tract 1 and 3.0 acres of Tract 2 were outside the 100-year floodplain. There was a riverine on the southeast corner of the property.

The adjacent land uses were Agricultural, Wooded, and Single-Family Residential.

The adjacent zonings were A-1 and R-1.

The Land Resource Management Plan called for the area to be Rural Residential.

The zonings within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD, and R-3.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres.

EcoCAT Report submitted and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (Moxostoma valenciennesi). Consultation was terminated because adverse effects were unlikely.

The application for NRI was submitted on June 22, 2021. The LESA Score was 191 indicating a low level of protection.

Petition information was sent to Seward Township on July 7, 2021. The Seward Township Planning Commission reviewed this proposal on August 12, 2021, and recommended approval by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting were provided.

Petition information was sent to the Village of Shorewood on July 7, 2021. The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding the proposal. The email was provided.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC reviewed this proposal at their meeting on August 3, 2021. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting were provided.

The Petitioner desired to rezone the subject property in order to build two (2) houses on the subject property and build one (1) house on the property that retains the A-1 zoning classification.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite.

The property fronted Jughandle Road.

Any new driveways constructed would be for residential purposes.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise is anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendment because the proposal was consistent with the Land Resource Management Plan.

Member Wilson asked how the house on Tract 2 would access Jughandle Road. Mr. Asselmeier responded that a private driveway would be constructed across Tracts 1 and 2 to Tract 3 prior to the division of land.

Dan Kramer, Attorney for the Petitioner, said that the Petitioners plan to construct a house for themselves on the Tract 3 (the A-1 zoned area) and have their two (2) adult children eventually build houses on Tracts 1 and 2. If the children do not build, houses on Tracts 1 and 2 will not be built.

Mr. Kramer explained the location of the driveway in relation to the floodplain.

Member Rodriguez expressed concerns about shared maintenance of the driveway. Mr. Kramer said a driveway maintenance agreement would be recorded in preparation for a time when the family no longer owns the property. Neither the County nor the Township will be asked to maintain the driveway unless the driveway is improved to Township specifications.

Member Casey made a motion, seconded by Member Bledsoe, to recommend approval of the Petition.

The votes were as follows:
Ayes (6): Ashton, Bledsoe, Casey, Nelson, Rodriguez, and Wilson
Nays (0): None
Absent (4): Hamman, McCarthy-Lange, Stewart, and Wormley
Abstain (0): None

The motion carried.

This proposal will go to the Kendall County Zoning Board of Appeals on August 30, 2021.

CITIZENS TO BE HEARD/ PUBLIC COMMENT
None

ADJOURNMENT
Member Wilson made a motion, seconded by Member Bledsoe, to adjourn. With a voice of six (6) ayes, the motion carried.

The Kendall County Regional Planning Commission meeting adjourned at 7:49 p.m.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Enc.

KENDALL COUNTY
REGIONAL PLANNING COMMISSION
AUGUST 25, 2021

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 Kunz 21-27	[redacted]	
" 21-28		

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, COUNTY BOARD ROOM (ROOMS 209 and 210)
YORKVILLE, IL 60560
August 30, 2021 – 7:00 p.m.

CALL TO ORDER
Chairman Randy Mohr called the Zoning Board of Appeals meeting to order at 7:00 p.m.

ROLL CALL:
Members Present: Scott Cherry, Karen Clementi, Tom LeCuyer, Randy Mohr, Dick Thompson, and Dick Whitfield
Members Absent: Cliff Fox
Staff Present: Matthew Asselmeier, AICP, CFM, Senior Planner
Others Present: Dan Kramer

MINUTES:
Member Whitfield made a motion, seconded by Member Clementi, to approve the minutes of the August 2, 2021 hearing/meeting.

With a voice vote of six (6) ayes, the motion carried.

Without objection, the Board decided to combine Petitions 21-27 and 21-28.

Chairman Mohr swore in Dan Kramer.

PETITIONS
The Zoning Board of Appeals started their review of Petitions 21-27 and 21-28 at 7:01 p.m.

Petition 21 – 27 – Paul Kovacevich on Behalf of Tri-Star Development, Inc.

Request:	Map Amendment Rezoning the Northeast 7.266 Acres of the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN:	09-15-300-020
Location:	South Side of Route 52 Across the Street from 2735 Route 52 in Seward Township
Purpose:	Petitioner Wishes to Rezone the Property in Order to Construct One House

Petition 21 – 28 – Brian and Jennifer Gore

Request:	Map Amendment Rezoning the Eastern 12.671 Acres of the Subject Property from A-1 Agricultural District to R-1 One Family Residential District
PIN:	09-15-300-021
Location:	West Side of Jughandle Road Across the Street from 14776 Jughandle Road in Seward Township
Purpose:	Petitioner Wishes to Rezone the Property in Order to Construct Two Houses

Mr. Asselmeier summarized the requests.

Paul Kovacevich, on behalf of Tri-Star Development, Inc., is requesting a map amendment rezoning approximately seven point two (7.2) acres property from A-1 to R-1 in order to construct one (1) house on the subject property.

At the time of application submittal, the subject property was part of a larger parcel that was approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. The western tract would retain A-1 zoning and the agricultural housing allocation. The eastern tract would be rezoned to R-1. A total of two (2) houses, one (1) on the A-1 zoned portion of the property and one (1) on the R-1 zoned portion of the property, would be constructed on the present forty (40) acre parcel.

The application materials, aerial of the entire property in its configuration at the time of application submittal, aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands were provided.

The property was on the south side of Route 52 across from 2735 Route 52.

Brian and Jennifer Gore are requesting a map amendment rezoning approximately twelve point six (12.6) more or less acres from A-1 to R-1 in order to construct two (2) houses on the subject property after rezoning.

At the time of application submittal, the subject property was part of a larger parcel that is approximately forty (40) acres in size. The Petitioner has already secured an agricultural housing allocation for the property. If the map amendment was approved, the Petitioner planned to divide the property using a Plat Act exemption. Tract 3, which was approximately twenty-seven point three (27.3) acres would retain A-1 zoning and the agricultural housing allocation. Tracts 1 and 2 would be rezoned to R-1. Tract 1 was approximately seven (7) acres in size. Tract 2 was approximately five point six (5.6) acres in size. A total of three (3) houses, one (1) on each Tract, would be constructed on the present forty (40) acre parcel with a private forty foot (40') wide road easement connecting Tract 3 to Jughandle Road.

The application materials, the aerial of the entire property in its configuration at the time of application submittal, the aerial of the property subject to the rezoning request, the plat of survey for the entire property, and the aerial of the entire property showing floodplains and wetlands was provided.

The property was located on the west side of Jughandle Road across from 14776 Jughandle Road.

The existing land uses were Agricultural/Wooded.

The Future Land Use Map called for this area to be Rural Residential.

U.S. 52 was a State maintained arterial and Jughandle Road was a Township maintained local road.

Joliet has trails planned along Route 52 and Minooka has trails planned along the Aux Sable Creek.

There was a 100-year floodplain of the Aux Sable Creek on the south and southeast sides of the Tri-Star property. There was also palustrine (freshwater forested shrub) and riverine wetlands on the south and southeast sides of the property.

There was a 100-year floodplain of the Aux Sable Creek on the south side of the Gore property. Approximately, 4.8 acres of Tract 1 and 3.0 acres of Tract 2 were outside the 100-year floodplain. There was a riverine on the southeast corner of the property.

The adjacent land uses were Agricultural Farmstead/Special Use for Products Not Grown on the Premises, Wooded, Single-Family Residential, and the Baker-Woods Forest Preserve.

The adjacent zoning districts were A-1, A-1 SU, and R-1.

The Land Resource Management Plan called for the area to be Rural Residential and Forest Preserve.

The zonings within one half (1/2) mile were A-1, A-1 CU, A-1 SU, R-1, R-1 PUD, and R-3.

The A-1 special use permit to the north is for the sale of products not grown on the premises. The A-1 conditional use permit to the south is for one (1) single-family home on A-1 zoned property less than forty (40) acres. The A-1 special use permit to the west is for a horse training facility with groomsmen's quarters.

EcoCAT Report submitted for both properties and noted the presence of the following protected resources in the vicinity: Aux Sable Creek INAI Site and Greater Redhorse (Moxostoma valenciennesi). Adverse impacts were considered unlikely and consultation was terminated.

The LESA Score for the Tri-Star property was 189 indicating a low level of protection. The LESA Score for the Gore property was 191 indicating a low level of protection. The NRIs were provided.

The Seward Township Planning Commission reviewed the proposals on August 12, 2021, and recommended approval of both Petitions by a vote of three (3) in favor and zero (0) in opposition with two (2) members absent. The minutes of this meeting were provided.

The Village of Shorewood submitted an email on August 20, 2021, stating they had no concerns or comments regarding either proposal. The email was provided.

Petition information was sent to the Minooka Fire Protection District on July 7, 2021.

ZPAC reviewed the proposals at their meeting on August 3, 2021. The comments on both proposals were the same. The Kendall County Soil and Water Conservation District requested that the Petitioner secure the necessary permits from IDNR and Corps of Engineers. They requested that the proper NPDES Permit from IEPA be secured and to have soil and erosion control plan. They also noted that the entire parcel has issues related to having a residential home on the property and also suggested having a wetland delineation. The Kendall County Health Department noted the site would greatly impact the use of traditional septic systems. ZPAC recommended approval of the request by a vote of seven (7) in favor and zero (0) in opposition with three (3) member absent. The minutes of the meeting were provided.

The Kendall County Regional Planning Commission reviewed the proposals at their meeting on August 25, 2021. The Kendall County Regional Planning Commission recommended approval of both proposals by a vote of six (6) in favor and zero (0) in opposition with four (4) members absent. The minutes of the meeting were provided.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities were onsite at either property.

Staff had no concerns regarding the ability of Route 52 or Jughandle Road to support the proposed map amendments.

Any new driveways constructed would be for residential purposes. Any new driveways would have to meet applicable regulations and secure proper permits.

No new odors were foreseen.

Any new lighting would be for residential use only.

Any fencing, landscaping, or screening would be for residential purposes.

Any signage would be residential in nature.

No noise was anticipated.

Any new homes would have to be constructed per Kendall County's Stormwater Management Ordinance.

The proposed Findings of Fact for the Tri-Star Petition were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses. A forest preserve is located in the vicinity.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1 and R-1. The A-1 property to north has a special use permit for sale of products not grown on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where a new single-family home could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest

classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

The proposed Findings of Fact for the Gore Petition were as follows:

Existing uses of property within the general area of the property in question. The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.

The Zoning classification of property within the general area of the property in question. The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.

Staff recommended approval of the proposed map amendments because the proposals were consistent with the Land Resource Management Plan.

Member Cherry asked if the housing locations were currently wooded. Mr. Asselmeier responded that all housing sites presently were wooded.

Mr. Asselmeier identified which areas on the aerials were floodplains and wetlands.

Chairman Mohr asked if the proposals were feasible. Mr. Asselmeier responded that the housing locations would be tight. In the case of both Petitions, the side yard setbacks for both the A-1 and R-1 zoned areas was fifty feet (50'). In the case of the Tri-Star proposal, the houses would be roughly one hundred feet (100') feet apart near the north side of the property because of the location of the floodplain.

Chairman Mohr asked why the Petitioners in the Tri-Star case were not giving up the agricultural allocation. Mr. Asselmeier responded that it appeared that Tri-Star wanted the ability to sell both properties with the ability to construct houses on both properties.

Chairman Mohr opened the public hearing at 7:09 p.m.

Dan Kramer, Attorney for the Petitioner, said that a golf course had been proposed in the area, but the floodplain and wetlands stopped that development. The owners of the Tri-Star property plan to sell the property. The Gore's plan to build one (1) house for themselves and two (2) houses for their adult children. If their children do not build, then the individual houses will not be constructed and the lots will not be sold. Brian and Jennifer Gore will build shortly.

Mr. Kramer noted that all development will be out of the floodplain and, in the case of the Gore Petition, everything, including the driveway, will be at least fifteen feet (15') from the wetland. They already have a wetland delineation. Mr. Kramer noted the location of the driveway, wetlands, and floodplain on the plat of survey.

Chairman Mohr expressed concerns about the Gore's further dividing their property in the future. Mr. Kramer said that the rest of the Gore property was difficult to build because of the location of the floodplain. Map amendments cannot be conditioned.

Chairman Mohr closed the public hearing at 7:15 p.m.

Member Clementi made a motion, seconded by Member LeCuyer, to approve the Findings of Fact for the Tri-Star Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Member LeCuyer made a motion, seconded by Member Thompson, to recommend approval of the requested map amendment for the Tri-Star Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Member Clementi made a motion, seconded by Member LeCuyer to approve the Findings of Fact for the Gore Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Member LeCuyer made a motion, seconded by Member Whitfield, to recommend approval of the requested map amendment for the Gore Petition.

The votes were as follows:
Ayes (6): Cherry, Clementi, LeCuyer, Mohr, Thompson, and Whitfield
Nays (0): None
Abstain (0): None
Absent (1): Fox

The motion passed.

Seward Township and the Village of Shorewood will be notified of the results of the public hearing. Since both entities recommended approval of both Petitions, both proposals will go to the Kendall County Planning, Building and Zoning Committee on Monday, September 13, 2021.

The Zoning Board of Appeals completed their review of Petitions 21-27 and 21-28 at 7:18 p.m.

NEW BUSINESS/OLD BUSINESS
None

REVIEW OF PETITIONS THAT WENT TO THE COUNTY BOARD
Mr. Asselmeier reported that Petition 21-24 was approved at the County Board.

Mr. Asselmeier reported that Petition 21-26, regarding the banquet facility on Crimmin Road was still at the Planning, Building and Zoning Committee.

PUBLIC COMMENTS
Mr. Asselmeier reported that the population of Kendall County increased to one hundred thirty-one thousand eight hundred sixty-nine (131,869). Kendall County rose from sixteenth (16^{th}) largest to fifteenth (15^{th}) largest county in Illinois. Kendall County was one (1) of fifteen (15) counties in Illinois that gained population. Kendall County was the fastest growing county in Illinois at fourteen point nine percent (14.9%).

Seward Township had the largest percentage increase in population and Bristol Township had the largest numeric increase in population. Lisbon and Big Grove Townships had population reductions.

Mr. Asselmeier said they were working with GIS to get the population numbers of the unincorporated areas in each township.

Mr. Asselmeier stated that, for the September hearing/meeting, there is a request for a special use permit for a landscaping business at 12830 Ashley Road, a request for a rezoning to B-3 and a special use permit for a landscaping business at 10744 Route 47, a request for a rezoning to build a house around the property at 800 Route 126, and a request for a special use permit and variance for a market/craft fair at 5681 Whitewillow Road.

Mr. Asselmeier also reported that the Planning, Building and Zoning Committee would be investigating text amendments to the Zoning Ordinance to address the recently passed Garden Act and Agricultural Experience Act.

Mr. Asselmeier said that the Illinois Association of County Zoning Officials would be having a virtual training session on October 1, 2021, from 9:15 a.m. to 12:30 p.m., with sessions on zoning, Americans with Disabilities Act regulations, and floodplain regulations. If anyone want to attend, they should contact Mr. Asselmeier.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Member Whitfield made a motion, seconded by Member Cherry, to adjourn.

With a voice vote of six (6) ayes, the motion carried.

The Zoning Board of Appeals meeting adjourned at 7:26 p.m.

The next hearing/meeting will be on September 27, 2021.

Respectfully submitted by,
Matthew H. Asselmeier, AICP, CFM
Senior Planner

Exhibits

1. Memo on Petition 21-27 Dated August 26, 2021
2. Certificate of Publication for Petition 21-27 (Not Included with Report but on file in Planning, Building and Zoning Office)
3. Memo on Petition 21-28 Dated August 26, 2021
4. Certificate of Publication for Petition 21-28 (Not Included with Report but on file in Planning, Building and Zoning Office)

KENDALL COUNTY
ZONING BOARD OF APPEALS
AUGUST 30, 2021

In order to be allowed to present any testimony, make any comment, engage in cross-examination, or ask any question during this public hearing, you must enter your name, address, and signature on this form prior to the commencement of the public hearing. By signing this registration sheet, you agree that you understand that anything you say will be considered sworn testimony, and that you will tell the truth, the whole truth and nothing but the truth.

NAME	ADDRESS	SIGNATURE
Dan Kramer Atty. For 21-27 / 21-28	[redacted]	

State of Illinois
County of Kendall

Zoning Petition
#21-28

ORDINANCE NUMBER 2021-_____

MAP AMENDMENT FOR APPROXIMATELY TWELVE POINT SIX ACRES OF LAND LOCATED ACROSS FROM 14776 JUGHANDLE ROAD (ON THE WEST SIDE OF JUGHANDLE ROAD) (EASTERN PORTION OF PIN: 09-15-300-021) IN SEWARD TOWNSHIP

Rezone from A-1 to R-1

WHEREAS, Section 13:07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 12.671 acres located on the west side of Jughandle Road across the street from 14776 Jughandle Road (Eastern Portion of PIN: 09-15-300-021), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property"; and

WHEREAS, the subject property is currently owned by Brian and Jennifer Gore hereinafter shall be referred to as "Petitioner"; and

WHEREAS, on or about June 30, 2021, Petitioner's representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on August 5, 2021, the Kendall County Zoning Board of Appeals conducted a public hearing on August 30, 2021, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville, at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested Map Amendment and zero members of the public testified in favor or in opposition or expressed concerns regarding the requested Map Amendment; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their Findings of Fact and recommended approval of the Map Amendment as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated August 30, 2021, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of **approval/denial/neutral** of the requested Map Amendment; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

State of Illinois Zoning Petition
County of Kendall #21-28

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the subject property from A-1 Agricultural District to R-1 One Family Residential District.

3. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect this Map Amendment.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 21st day of September, 2021.

Attest:

_____	_____
Kendall County Clerk	Kendall County Board Chairman
Debbie Gillette	Scott R. Gryder

BRIAN & JENNIFER GORE

TRACT 1:
THE EAST 350.00 FEET OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 7.023 acre more or less.

TRACT 2
THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, IN TOWNSHIP 35 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER; THENCE NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 426.00 FEET TO THE NORTHEAST CORNER OF LANDS CONVEYED BY QUIT CLAIM DEED, RECORDED AS DOCUMENT NUMBER 201500000055, SAID CORNER BEING THE POINT OF BEGINNING (TRACT 2); THENCE CONTINUING NORTH 01 DEGREES 17 MINUTES 14 SECONDS WEST ALONG SAID EAST LINE, 901.42 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF AFORESAID SECTION 15; THENCE SOUTH 88 DEGREES 21 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, 550.01 FEET TO A POINT ON THE WEST LINE OF THE EAST 550.00 FEET OF NORTHEAST QUARTER OF AFORESAID SOUTHWEST QUARTER, SAID POINT BEING THE SOUTHWEST CORNER OF LANDS CONVEYED BY DOCUMENT NUMBER 199607024; THENCE SOUTH 11 DEGREES 56 MINUTES 54 SECONDS WEST 862.92 FEET TO THE NORTHWESTERLY CORNER OF AFORESAID QUIT CLAIM DEED; THENCE NORTH 74 DEGREES 08 MINUTES 06 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID QUIT CLAIM DEED, A DISTANCE OF 112.00 FEET; THENCE SOUTH 88 DEGREES 36 MINUTES 08 SECONDS EAST ALONG SAID NORTHERLY LINE, 386.00 FEET; THENCE SOUTH 04 DEGREES 21 MINUTES 06 SECONDS WEST ALONG SAID NORTHERLY LINE, 36.00 FEET; THENCE SOUTH 85 DEGREES 38 MINUTES 54 SECONDS EAST ALONG SAID NORTHERLY LINE, 260.00 FEET TO THE POINT OF BEGINNING (TRACT 2); EXCEPTING THEREFROM THE EAST 350.00 FEET THEREOF, SITUATED IN SEWARD TOWNSHIP, KENDALL COUNTY, ILLINOIS. Containing 5.648 acre more or less.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on August 30, 2021, by a vote of six (6) in favor and zero (0) in opposition. Member Fox was absent.

FINDINGS OF FACT

Existing uses of property within the general area of the property in question. **The surrounding properties are used for agricultural purposes or larger lot single-family residential uses.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1. There are R-1, R-1 PUD, and R-3 zoned parcels within one half (1/2) mile of the subject property.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1. The property is presently heavily wooded. Floodplain and wetlands will greatly restrict the area where new single-family homes could be built.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is a mix of agricultural and single-family residential uses found in rural settings.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map in the Land Resource Management Plan classifies this property as Rural Residential. The R-1 One Family Residential District is consistent with the Rural Residential classification.**

RECOMMENDATION

Approval

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building & Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: September 7, 2021
Re: Petition 21-34 Request for Minor Amendment to a Special Use Permit for Indoor/Outdoor Storage Near County Line Road and Route 52

On September 15, 2020, the Kendall County Board approved Ordinance 2020-14, granting a special use permit for an indoor/outdoor storage business approximately 0.15 miles north of the intersection of Route 52 and County Line Road on the west side of County Line Road in Seward Township.

Condition 4.B of the Ordinance stated that the fencing and landscaping had to be installed within two hundred forty (240) days of the approval of the special use permit ordinance. A copy of Ordinance 2020-14 is attached to this memo.

On April 12, 2021, the Kendall County Planning, Building and Zoning Committee approved a minor amendment to Ordinance 2020-14 extending the deadline for installation of the fencing and landscaping to October 31, 2021, and allowing the Kendall County Planning, Building and Zoning Committee to extend the deadline if requested by the property owner. A copy of this minor amendment is attached.

On September 1, 2021, the property owner's attorney submitted a request to extend the deadline to June 1, 2022. A copy of this letter is attached.

Petition information was sent to Seward Township and the Village of Shorewood on September 1, 2021. The Village of Shorewood had no objections to this request.

Staff recommends approval of the requested extension because of the unique situation caused by the COVID pandemic.

If the Planning, Building and Zoning Committee wishes to approve the request, a draft minor amendment is attached.

If the Planning, Building and Zoning Committee wishes to deny the minor amendment and if the Petitioner desires the amendment, the Petitioner would be required to go through the major amendment to a special use process as outlined in the Kendall County Zoning Ordinance.

If you have any questions, please let me know.

Thanks,

MHA

Encs.: Application Letter
Ordinance 2020-14
Original Minor Amendment
Draft Minor Amendment for Extension

Law Offices
of
Daniel J. Kramer
1107A S. Bridge Street
Daniel J. Kramer Yorkville, Illinois 60560 Kelly A. Helland
630-553-9500 D.J. Kramer
Fax: 630-553-5764
dkramer@dankramerlaw.com

September 1, 2021

Matt Asselmeier and the Planning Building and Zoning Committee
Kendall County Planning, Building, & Zoning
Via E-mail: Masselmeier@co.kendall.il.us

RE: FOUR SEASONS STORAGE, LLC

Dear Mr. Asselmeier and PB & Members:

Please be advised that my clients just obtained their final approval from the SBA for their loan on Tuesday August 31, 2021 and can now proceed with the building of the project. They are working on the earth balancing and have ordered the initial building materials from the Building Company. Given that it took the SBA so long for approval and they are starting the work so late in the season it will be impossible for them to install the landscaping and fencing this year. Please take this as Petitioners request to extend the time to install landscaping and fencing to June 1, 2022. Please confirm that we will be on the Agenda for the September PB & Z to approve the same. If you have any questions or concerns please feel free to contact me.

Very truly yours

Daniel J. Kramer

Daniel J. Kramer
Attorney at Law

DJK:cth

cc. James Maffeo

202000018371

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 9/21/2020 01:19 PM
ORDI: 57.00 RHSPS FEE: 10.00

PAGES: 21

POOR COPY
RECORDER'S OFFICE
NOT RESPONSIBLE

State of Illinois
County of Kendall

Zoning Petition
#19-39

ORDINANCE # 2020-14

MAP AMENDMENT FOR REZONING 4.01 ACRES +/- TO B-3 HIGHWAY BUSINESS DISTRICTAND GRANTING SPECIAL USE PERMITS FOR AN OUTDOOR STORAGE FACILITY AND A SELF-SERVICE STORAGE FACILITYAND A MAP AMENDMENT REZONING 4.67 +/- ACRES TO B-2 GENRAL BUSINESS DISTRICT FOR THE NORTHEASTERN PORTION OF THE PARCEL LOCATED ON THE NORTHWEST CORNER ROUTE 52 AND COUNTY LINE ROAD ALSO KNOWN AS 195 ROUTE 52 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-13-200-002 IN SEWARD TOWNSHIP

Rezone from A-1 to B-3 With Special Use Permits (4.01 Acres) and to B-2 (4.67 Acres)

Mailed to and Prepared by:
Matthew Asselmeier
111 West Fox Street Rm. 203
Yorkville, IL 60560

SEAL

OFFICIAL SEAL
PAMELA A HERBER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 02/01/23

Subscribed and sworn to before me
This 18th day of September, 2020

[redacted]
Matthew Asselmeier
Kendall County Senior Planner

[redacted]
Notary Public

State of Illinois
County of Kendall

Zoning Petition
#19-39

ORDINANCE NUMBER 2020-14

MAP AMENDMENT REZONING 4.01 ACRES +/- TO B-3 HIGHWAY BUSINESS DISTRICTAND GRANTING SPECIAL USE PERMITS FOR AN OUTDOOR STORAGE FACILITY AND A SELF-SERVICE STORAGE FACILITYAND A MAP AMENDMENT REZONING 4.67 +/- ACRES TO B-2 GENRAL BUSINESS DISTRICT FOR THE NORTHEASTERN PORTION OF THE PARCEL LOCATED ON THE NORTHWEST CORNER ROUTE 52 AND COUNTY LINE ROAD ALSO KNOWN AS 195 ROUTE 52 AND IDENTIFIED BY PARCEL IDENTIFICATION NUMBER 09-13-200-002 IN SEWARD TOWNSHIP

Rezone from A-1 to B-3 With Special Use Permits (4.01 Acres) and to B-2 (4.67 Acres)

WHEREAS, Section 13.07 of the Kendall County Zoning Ordinance permits the Kendall County Board to approve map amendments and provides the procedure through which map amendments are granted; and

WHEREAS, Section 13.08 of the Kendall County Zoning Ordinance permits the Kendall County Board to issue special use permits and place conditions on special use permits and provides the procedure through which special use permits are granted; and

WHEREAS, Section 9.04.C.20 of the Kendall County Zoning Ordinance permits the operation of outdoor storage businesses as a special use with certain restrictions in the B-3 Highway Business Zoning District; and

WHEREAS, Section 9.04.C.28 of the Kendall County Zoning Ordinance permits the operation of self-service storage facility businesses as a special use with certain restriction in the B-3 Highway Business Zoning District; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 8.68 +/- acres located at the northeastern corner of the parcel located at the northwest corner of Route 52 and County Line Road, also known as, 195 Route 52 (PINs: 09-13-200-002), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, at the time of original application the subject property was owned Hansel Ridge, LLC and is represented by John Dollinger; and

WHEREAS, Goproball, LLC, as represented by Jason Shelley, purchased the subject property from Hansel Ridge, LLC; and

WHEREAS, James and Denise Maffeo, purchased the subject property from Goproballball, LLC and record title is held the in name of Four Season Storage, LLC, an Illinois Liability Company; and

WHEREAS, John Dollinger on Behalf of Hansel Ridge, LLC, Jason Shelley on Behalf of Goproball, LLC, and James and Denise Maffeo on Behalf of Four Seasons Storage, LLC, an Illinois Limited Liability Company shall hereinafter be referred to as "Petitioner"; and

WHEREAS, on or about September 30, 2019, Petitioner's representative filed a petition for a Map Amendment rezoning the subject property from A-1 Agricultural to B-3 Highway Business District and for Special Use Permits to operate an outdoor storage business and a self-service storage facility business on the subject property; and

WHEREAS, on or about April 21, 2020, Petitioner's representative amended the petition to rezone 4.67 +/- acres of the subject property to B-2 General Business District and 4.01 +/- acres to B-3 Highway Business District; and

WHEREAS, following due and proper notice by publication in the Kendall County Record on January 9, 2020, the Kendall County Zoning Board of Appeals started a public hearing on January 27, 2020, at 7:00 p.m., in the County Office Building at 111 W. Fox Street in Yorkville and said hearing was continued to March 2, 2020, and continued to June 29, 2020, and continued to July 27, 2020, at the same time and location at which the Petitioner's representative presented evidence, testimony, and exhibits in support of the requested Map Amendments and Special Use Permits and zero members of the public asked questions or testified in favor or testified in opposition to the request; and

WHEREAS, based on the evidence, testimony, and exhibits, the Kendall County Zoning Board of Appeals has made their findings of fact and recommended approval of the Map Amendments and Special Use Permits with restrictions as set forth in the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, dated July 27, 2020, a true and correct copy of which is attached hereto as Exhibit B; and

WHEREAS, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board has reviewed the testimony presented at the aforementioned public hearing and has considered the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has forwarded to the Kendall County Board a recommendation of approval of the requested Map Amendments and Special Use Permits; and

WHEREAS, the Kendall County Board has considered the recommendation of the Planning, Building and Zoning Committee and the Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals, and has determined that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Findings of Fact and Recommendation of the Kendall County Zoning Board of Appeals attached hereto as Exhibit B is hereby accepted and the Findings of Fact set forth therein are hereby adopted as the Findings of Fact and Conclusions of this Kendall County Board.

2. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning 4.67 +/- acres of the subject property from A-1 Agricultural District to B-2 General Business District as outlined in the legal description attached hereto as Exhibit A.

3. The Kendall County Board hereby grants approval of Petitioner's petition for a Map Amendment rezoning the 4.01 +/- acres of the subject property from A-1 Agricultural District to B-3 Highway Business District as outlined in the legal description attached hereto as Exhibit A.

4. The Kendall County Board hereby grants approval of Petitioner's petition for special use permits for an outdoor storage business and a self-service storage business on the portion of the subject property rezoned to B-3 Highway Business District subject to the following conditions:

A. The site shall be developed substantially in accordance with the attached site plan attached hereto as Exhibit C, landscaping plan attached hereto as Exhibit D, and photometric plan attached hereto as Exhibit E.

B. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan (Exhibit D) within two hundred forty (240) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.

C. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the location shown on the landscaping plan (Exhibit D). The owners of businesses allowed by this special use permit may pursue variances to Kendall County Zoning Ordinance regarding the height and dimensions of the sign through the variance application process without seeking an amendment to the special use permit.

D. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.

E. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the site plan (Exhibit C) on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.

F. A maximum of twenty-five (25) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.

G. None of the vehicles stored on premises shall be considered agricultural equipment as they relate to the businesses allowed by these special use permits.

H. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.

I. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these special use permit may reduce these hours of operation. Patrons may access the storage area at any time.

J. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.

K. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.

L. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.

M. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.

N. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.

5. All ordinances in conflict with this ordinance are hereby repealed.

6. This special use permit shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

7. The Zoning Administrator and other appropriate County Officials are hereby authorized and directed to amend the Official Zoning Map of Kendall County to reflect these Map Amendments and Special Use Permits.

IN WITNESS OF, this ordinance has been enacted by a majority vote of the Kendall County Board and is effective this 15th day of September, 2020.

Attest:

Kendall County Clerk
Debbie Gillette

Kendall County Board Chairman
Scott R. Gryder

COUNTY CLERK
OFFICIAL
SEAL
KENDALL COUNTY, ILLINOIS

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

LEGAL DESCRIPTION OF TRACT 3 (B2 Zoning Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 51.55 feet to a point hereinafter referred to as "Point A"; thence Southerly, along a line which forms an angle of 89°33'03" with the prolongation of the last described course, measured counter-clockwise therefrom, 692.32 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter for the point of beginning; thence Northerly, along the line of the last described course 692.32 feet to "Point A"; thence Westerly, parallel with said North Line, 547.51 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Easterly, parallel with said North Line, 213.85 feet to the point of beginning in Seward Township, Kendall County, Illinois.

Exhibit B

The Kendall County Zoning Board of Appeals approved the following Findings of Fact and Recommendation at their meeting on July 27, 2020, by a vote of seven (7) in favor and zero (0) in opposition.

FINDINGS OF FACT-MAP AMENDMENTS
§ 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on map amendment applications.

Existing uses of property within the general area of the property in question. **The surrounding properties are used agricultural or uses similar to agricultural uses such as farmsteads and fertilizer operations.**

The Zoning classification of property within the general area of the property in question. **The surrounding properties are zoned A-1, A-1 with a special use, or B-4.**

The suitability of the property in question for the uses permitted under the existing zoning classification. **The property is presently zoned A-1 and can be used for farming.**

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. **The trend of development in the area is stable with residential growth and special uses normally found in agricultural zoned areas.**

Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **The Future Land Use Map was amended earlier in 2020 to reclassify the subject property as Commercial. The property to the west is planned to be used for recreational purposes. Minooka School District #111 plans to construct a school in the area. The Village of Shorewood's Future Land Use Map calls for this property to be Commercial and Government/Institutional. The proposed map amendments are consistent with the purpose and objectives of the Land Resource Management Plan.**

FINDINGS OF FACT-SPECIAL USE PERMITS
§ 13.08.J of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order recommend in favor of the applicant on special use permit applications.

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The operation of the special use will not be detrimental to the public health, safety, morals, comfort, or general welfare provided that the operator of the business allowed by this special use permit develops the site according to the submitted site plan and landscaping plan, dedicates land for right-of-way, follows the agreed upon hours of operation, and follows the Kendall County Inoperable Vehicle Ordinance, Kendall County Junk and Debris Ordinance, and related ordinances.**

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**

business operates as proposed, no injury should occur to other property and property values should not be negatively impacted.

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. **The proposed use will be a low utility user and adequate utilities are planned for the development of the site. A private road is planned from County Line Road to the subject use. A right-of-way dedication is planned along County Line Road. The Petitioners will have to secure a stormwater management permit.**

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. **This is true.**

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. **True, the proposed use is consistent with an objective found on Page 6-34 of the Kendall County Land Resource Management Plan which calls for "a strong base of agricultural, commercial and industrial uses that provide a broad range of job opportunities, a healthy tax base, and improved quality of services to County residents" through the encouragement ". . . of locally owned businesses."**

RECOMMENDATIONS

Approval of the requested map amendments.

Approval of the special use permits with the following conditions and restrictions:

1. The site shall be developed substantially in accordance with the submitted site plan, landscaping plan, and lighting plan.
2. The operator(s) of the businesses allowed by this special use permit shall plant the vegetation and install the fencing identified in the landscaping plan within ninety (90) days of the approval of the special use permit ordinance. Dead or damaged vegetation shall be replaced on a timetable approved by the Kendall County Planning, Building and Zoning Department. The trees shown on the landscaping plan shall be between twelve feet and fifteen feet (12'-15') in height at the time of planting.
3. One (1) two (2)-sided illuminated sign may be installed on the subject property in substantially the location shown on the landscaping plan. The owners of businesses allowed by this special use permit may pursue variances to Kendall County Zoning Ordinance regarding the height and dimensions of the sign through the variance application process without seeking an amendment to the special use permit.
4. Within sixty days (60) days of approval of this special use permit ordinance, the property owners shall convey land along the entire length of County Line Road side of the property at a depth of sixty feet (60') as measured from the centerline of County Line Road to Seward Township for County Line Road right-of-way.
5. The owners of the business allowed by this special use permit shall construct all of the storage buildings shown on the site plan on or before December 31, 2023. Either December 31, 2023, or upon completion of the final self-service storage building, whichever occurs first, the special use permit for an outdoor storage business shall automatically cease. The final self-service storage building shall be considered complete when all occupancy permits for the self-service storage buildings are issued. The completion and expiration dates listed in this condition may be extended upon approval by the Kendall County Planning, Building and Zoning Committee.
6. A maximum of twenty-five (25) items, including, but not limited to, boats, trailers, and motor vehicles may be stored outdoors as part of the outdoor storage business special use permit.
7. None of the vehicles stored on premises shall be considered agricultural equipment as they relate

to the businesses allowed by these special use permits.

8. All of the vehicles stored on the premises shall be maintained in good condition with no deflated tires and shall be licensed if required by law.
9. The hours of operation for the businesses allowed by these special use permits shall be daily from 7:00 a.m. until 7:00 p.m. The operator(s) of the businesses allowed by these special use permit may reduce these hours of operation. Patrons may access the storage area at any time.
10. The total maximum number of employees combined for the businesses allowed by these special use permit shall be five (5), including the business owners.
11. The owners of the businesses allowed by these special use permits shall diligently monitor the property for leaks from items stored on the premises and shall promptly clean up the site if leaks occur.
12. The operator(s) of the business allowed by this special use permit shall provide the Kendall County Sheriff's Department and Troy Fire Protection District with passcodes to the gate upon the request of these agencies.
13. The operator(s) of the businesses allowed by these special use permits acknowledge and agree to follow Kendall County's Right to Farm Clause.
14. The operator(s) of the businesses allowed by these special use permits shall follow all applicable Federal, State, and Local laws related to the operation of these types of businesses.
15. Failure to comply with one or more of the above conditions or restrictions could result in the amendment or revocation of the special use permits.
16. If one or more of the above conditions is declared invalid by a court of competent jurisdiction, the remaining conditions shall remain valid.

ENGINEERING PLANS
FOR
FOUR SEASONS STORAGE FACILITY

SECTION 13, TOWNSHIP 35 NORTH, RANGE 8 EAST
COUNTY LINE RD & ROUTE 52
MINOOKA, IL 60447
KENDALL COUNTY
JULY, 2020

LEGEND

- PROPERTY BOUNDARY
- 600 EXISTING CONTOUR LINE
- EXISTING STORM SEWER
- EXISTING SANITARY SEWER LINE
- EXISTING WATERMAIN
- EXISTING UNDERGROUND ELECTRIC
- EXISTING OVERHEAD ELECTRIC
- EXISTING GAS SERVICE
- EXISTING TELEPHONE
- 873 PROPOSED CONTOUR LINE
- PROPOSED WATERMAIN
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER LINE
- PROPOSED GREASE SERVICE LINE
- PROPOSED VENT LINE
- EXISTING FENCELINE
- PROPOSED SILT FENCE
- x 886.00 EXISTING SPOT SHOT
- x 886.00 PROPOSED SPOT GRADE

	EXIST	PROP	
WATER:			B-BOX
			HYDRANT
			VALVE
			VALVE VAULT
STORM:			INLET-CURB
			INLET OR MANHOLE
			FLARED END SECTION
SANITARY:			CLEANOUT
			MANHOLE

- R.O.W. MONUMENT
- PROPERTY PIN
- P.K. NAIL
- CHISELED MARK
- BENCHMARK
- HUB & TACK
- SOIL BORING
- OVERLAND RELIEF
- FLOW DIRECTION
- UTILITY POLE
- GUY WIRE LOC.
- UTIL CABINET
- UTIL PEDESTAL
- LIGHT POLE
- TRAFFIC SIGNAL
- ELECTRIC VAULT
- GAS VALVE

INDEX TO SHEETS

1. COVER SHEET
2. EXISTING CONDITIONS & DEMOLITION PLAN
3. STORMWATER POLLUTION & PREVENTION PLAN 1
4. STORMWATER POLLUTION & PREVENTION PLAN 2
5. OVERALL CIVIL SITE PLAN
6. CIVIL SITE PLANS
7. GENERAL NOTES & DETAILS
8. GENERAL NOTES & DETAILS II

LOCATION MAP
N.T.S.



BENCHMARKS:

BM#1 - Magnail in Pavement West of Utility Pole 89 Feet North of the Northeast Corner of the Subject Property

Elevation = 545.28 NAVD 29

BM#2 - Magnail in Pavement West of Utility Pole 72 Feet North of the Southeast Corner of the Subject Property

Elevation = 549.49 NAVD 29

PLANS PREPARED FOR:

JAMES & DENISE MAFFEO
1223 RUELL AVENUE
JOLIET, IL 60433
PHONE: (815) 955-9914

Know what's below. Call before you dig.

Contractor and or sub-contractors shall verify locations of all underground utilities prior to digging. Contact J.U.L.I.E. (Joint Utility Locating for Excavations) at 1-800-892-0123 or dial 811.

UTILITY STATEMENT

THE UTILITIES SHOWN HAVE BEEN LOCATED FROM MOBILE FIELD EVIDENCE AND EXISTING DRAWINGS, MAPS AND RECORDS SUPPLIED TO SURVEYOR. THE SURVEYOR MAKES NO GUARANTEES THAT THE UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED, ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM AVAILABLE INFORMATION. THE SURVEYOR HAS PHYSICALLY LOCATED MOBILE STRUCTURES; HOWEVER, HE HAS NOT PHYSICALLY LOCATED THE UNDERGROUND LINES.

PROFESSIONAL ENGINEER'S CERTIFICATION
STATE OF ILLINOIS, COUNTY OF KENDALL

I, JOHN J. TEBRUGGE, A LICENSED PROFESSIONAL ENGINEER OF ILLINOIS, HEREBY CERTIFY THAT THESE PLANS HAVE BEEN PREPARED UNDER MY PERSONAL DIRECTION BASED ON AVAILABLE DOCUMENTS AND FIELD MEASUREMENTS FOR THE EXCLUSIVE USE OF THE CLIENT NOTED HEREON.

GIVEN UNDER MY HAND & SEAL THIS 21ST DAY OF JULY, 2020.

JOHN J. TEBRUGGE 041828 REGISTERED PROFESSIONAL ENGINEER OF ILLINOIS

ILLINOIS REGISTERED PROFESSIONAL ENGINEER
NO. 0062-041828 EXPIRES NOV. 30, 2021

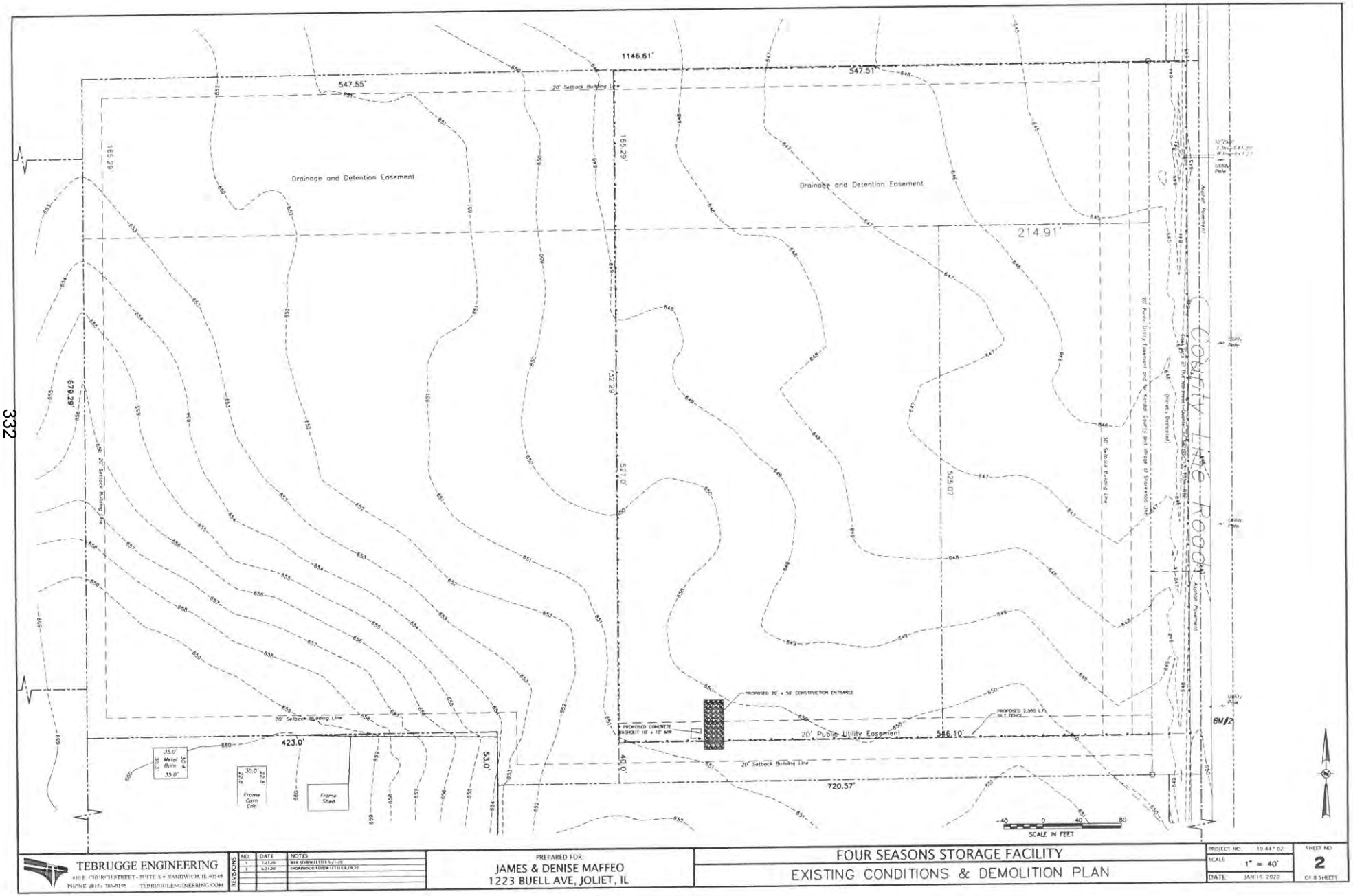
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REVISIONS	NO.	DATE	NOTES
	1	7/15/20	VILLAGE REVIEW LETTER 7/15/20
	2	8/19/20	VILLAGE OF SHOREWOOD REVIEW LETTER 8/19/20

CIVIL ENGINEER:

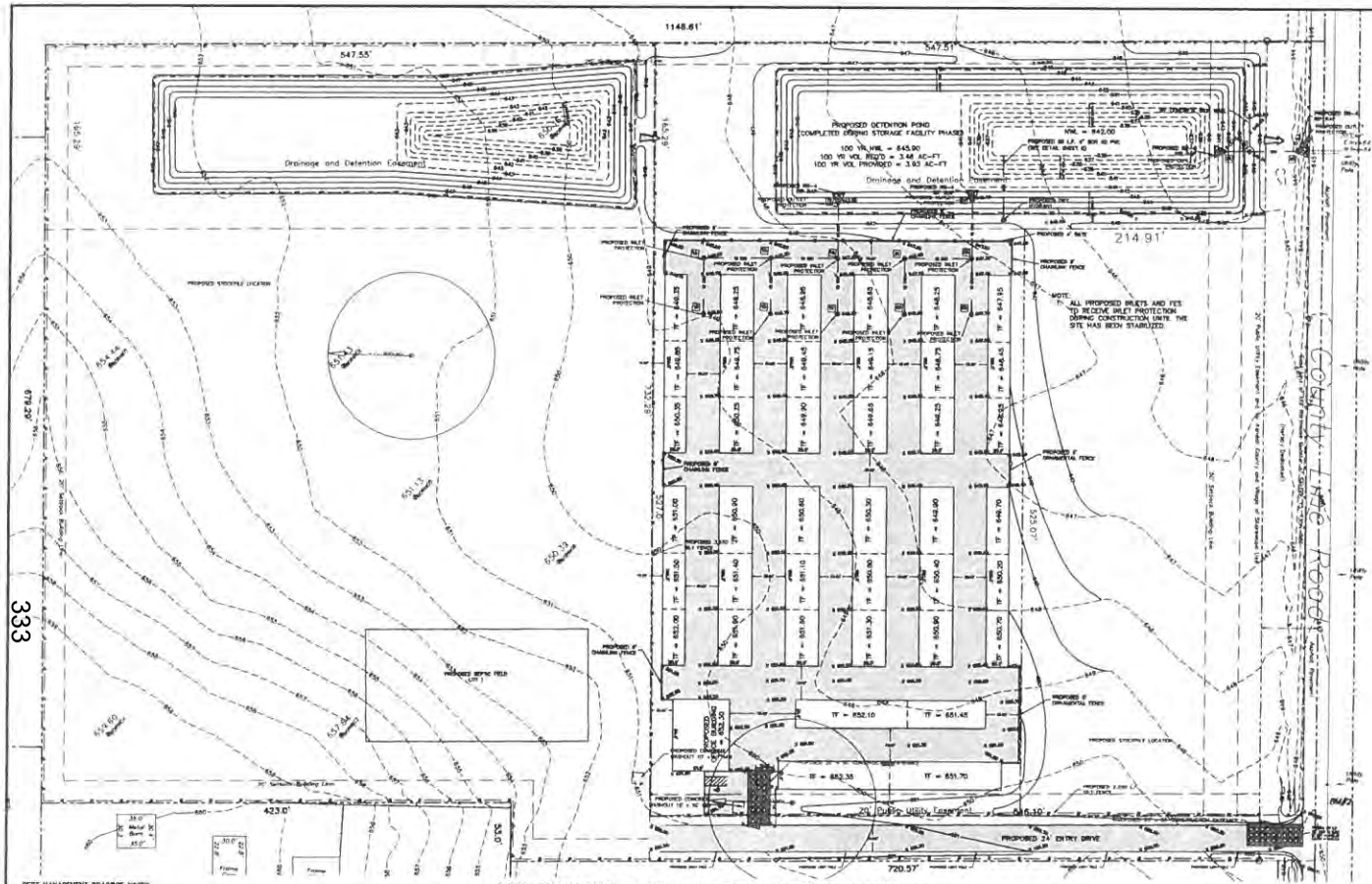
TEBRUGGE ENGINEERING
410 E CHURCH ST - SUITE A
SANDWICH, ILLINOIS 60548
(815) 786-0195

INFO@TEBRUGGEENGINEERING.COM
WWW.TEBRUGGEENGINEERING.COM



TEBRUGGE ENGINEERING 410 E. CHURCH STREET - SUITE A - SANDWICH, IL 60548 PHONE (815) 786-9195 TEBRUGGEENGINEERING.COM	PREPARED FOR: JAMES & DENISE MAFFEO 1223 BUELL AVE, JOLIET, IL
REVISIONS: NO. 1 DATE 7.17.20 NOTES: WILL REVIEW LETTER 6.21.20; NO. 2 DATE 8.24.20 NOTES: ENGINEERING REVIEW LETTER 8.19.20	FOUR SEASONS STORAGE FACILITY EXISTING CONDITIONS & DEMOLITION PLAN
PROJECT NO: 19.447.02 SCALE: 1" = 40' DATE: JAN 16, 2020	SHEET NO: 2 OF 8 SHEETS

Exhibit C



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TYPICAL SOIL PROTECTION CHART

Description/Type	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
Permanent Seeding			A	A	A	M*	M*	A	A			
Dormant Seeding	S	S	S								S	S
Temporary Seeding			S	C	C	D*	D*	D	S			
Sodding			S**	S**	S**	S**	S**	S**	S**			
Mulching	F	F	F	F	F	F	F	F	F	F	F	F

A – Kentucky Bluegrass – 80 lbs/acre
mixed with perennial ryegrass – 35 lbs/acre

B – Kentucky Bluegrass – 100 lbs/acre mixed with perennial ryegrass – 40 lbs/acre

C – Sterile Oats – 100 lbs/acre
D – Wheat or Cereal Rye – 150 lbs/acre
F – Hay
S – Straw Mulch – 2 tons/acre
** Water for 2-3 weeks after seeding

* Watering needed in June and July

SOIL EROSION / SEDIMENT CONTROL OPERATION TIME SCHEDULE

NOTE: GENERAL CONTRACTOR TO COMPLETE TABLE WITH THEIR SPECIFIC PROJECT SCHEDULE

CONSTRUCTION SEQUENCE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG
TEMPORARY CONSTRUCTION EXITS																				
TEMPORARY CONTROL MEASURES																				
SEDIMENT CONTROL BASINS																				
STRIP & STOCKPILE TOPSOIL																				
ROUGH GRADE																				
STORM FACILITIES																				
SITE CONSTRUCTION																				
PERMANENT CONTROL STRUCTURES																				
FOUNDATION / BUILDING CONSTRUCTION																				
FINISH GRADING																				
LANDSCAPING / SEED / FINAL STABILIZATION																				

1) CONTRACTOR SHALL UPDATE THE TABLE BY SHADING OR DATING THE APPLICABLE ACTIVITIES AS PROJECT PROGRESSES.

2) TIME SCHEDULE MUST COINCIDE WITH SEQUENCE OF CONSTRUCTION.

GENERAL CONTRACTOR / OWNER SHALL COORDINATE WHICH CONTRACTORS WILL BE PROVIDING SWPPP SERVICES AND HAVE THEM SIGN THE CONTRACTOR'S CERTIFICATION

ALL CONTRACTORS AND SUBCONTRACTORS IDENTIFIED IN A STORM WATER POLLUTION PREVENTION PLAN SHALL SIGN A COPY OF THE FOLLOWING CERTIFICATION STATEMENT BEFORE CONDUCTING ANY PROFESSIONAL SERVICES AT THE SITE IDENTIFIED IN THE STORM WATER POLLUTION PREVENTION PLAN

CONTRACTOR'S CERTIFICATION

"I CERTIFY UNDER PENALTY OF LAW THAT I UNDERSTAND THE TERMS AND CONDITIONS OF THE GENERAL NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PERMIT (ILR10) THAT AUTHORIZES THE STORM WATER DISCHARGES ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE CONSTRUCTION SITE IDENTIFIED AS PART OF THE CERTIFICATION.

CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #

SIGNATURE DATE

CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #

SIGNATURE DATE

CONTRACTOR NAME & TITLE:
ADDRESS:
PHONE #

SIGNATURE DATE

BEST MANAGEMENT PRACTICE NOTES

1. SITE STABILIZED CONSTRUCTION ENTRANCE DETAIL. THE CONSTRUCTION EXIT SHALL BE A MINIMUM OF 14' IN WIDTH AND 50' IN LENGTH FROM EXISTING PAVED SURFACE. ALL CONSTRUCTION TRAFFIC MUST UTILIZE CONSTRUCTION EXIT PER DETAIL TO ACCESS THE PUBLIC ROAD. DURING CONSTRUCTION, THE CONSTRUCTION EXITS MAY BE SHIFTED AT THE CONTRACTOR'S DISCRETION TO FACILITATE GRADING OPERATIONS. EXIT MUST TERMINATE AT EXISTING PAVED SURFACE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ENSURING THAT THE RUNOFF FROM THE CONSTRUCTION EXIT IS DIRECTED BACK TOWARD THE SITE OR THAT THE RUNOFF IS CLEAR OF SEDIMENT.

2. THE CONTRACTOR MAY PERMANENTLY REMOVE ANY PORTION OF THE PERIMETER SILT FENCE AFTER ESTABLISHMENT OF FINAL GRADE AND/OR FINAL STABILIZATION RENDERS THE RESPECTIVE PORTION OF THE PERIMETER SILT FENCE UP STREAM OF A DISTURBANCE AND/OR INEFFECTIVE AS A BEST MANAGEMENT PRACTICE. ANY SUCH REMOVAL SHALL BE NOTED ON THE SWPPP SITE MAPS ALONG WITH UPSTREAM STABILIZATION AND GRADING CONDITIONS.

3. NO STRUCTURE SHALL BE ALLOWED TO BE PROTECTED WITH ANY MEASURE OTHER THAN THOSE DETAILED IN THIS SWPPP SITE MAP FOR MORE THAN 48 HOURS OR IF RAIN IS IMMINENT. STRUCTURES THAT WILL NOT RECEIVE A CASTING WITHIN 48 HOURS OF INSTALLATION SHALL RECEIVE IP8 PROTECTION. UPON INSTALLATION OF THE GRATE, IP3 OR IP5 PROTECTION SHALL BE INSTALLED RESPECTIVE TO THE TYPE OF GRATE. STRUCTURES WITH CLOSED LIDS WILL NOT REQUIRE PROTECTION FOLLOWING INSTALLATION OF THE LID. THE CONTRACTOR SHALL NOTE THE TIME STRUCTURE INSTALLATION (AND PROTECTION INSTALLATION, INCLUDING TYPES OF PROTECTION) ARE EMPLOYED. WHENEVER PIPE INSTALLATION IS HALTED FOR MORE THAN 24 HOURS OR WHEN RAIN IS IMMINENT, THE OPEN END SHALL BE PROTECTED WITH A TEMPORARY BULK HEAD. A 3" SHEET OF PLYWOOD THAT EXTENDS 4" BEYOND THE OUTSIDE DIAMETER OF THE PIPE SHALL BE PLACED AGAINST THE EXPOSED PIPE END. GRAVEL SHALL BE PLACED AGAINST THE PLYWOOD IN SUFFICIENT QUANTITY SO AS TO ENSURE THE TIGHTEST POSSIBLE SEAL. THE TRENCH SHALL BE DE-WATERED PRIOR TO REMOVING THE BULKHEAD.

4. EROSION CONTROL BLANKET SHALL BE APPLIED TO ALL SLOPES 4:1 OR GREATER. FOLLOW MANUFACTURER SPECIFICATIONS FOR INSTALLATION. THE CONTRACTOR SHALL NOTE ALL AREAS WHERE FABRIC HAS BEEN INSTALLED RELATIVE TO AS-BUILT GRADES AND FURNISH THESE BOUNDARIES TO THE OWR, ENGINEER UPON REQUEST.

5. PERMANENT SEEDING SHOULD BE PLANTED AS SOON AS IT IS PRACTICAL TO ENSURE PROPER GERMINATION PRIOR TO TERMINATION OF PERMIT COVERAGE. THE CONTRACTOR SHALL PLANT PERMANENT SEEDING AS SPECIFIED ON THE LANDSCAPING PLAN AS SOON AS FINAL GRADES ARE ESTABLISHED AS SPECIFIED ON THE GRADING PLAN. SEE SITE LANDSCAPING PLAN FOR EXACT GROUND COVER TYPE AND LOCATION.

6. STOCKPILE SHOULD BE LOCATED IN AREAS THAT DO NOT HAVE HIGH POTENTIAL FOR CONTRIBUTING SEDIMENTS TO STORMWATER FACILITIES.

7. STOCKPILES OF SOIL AND OTHER BUILDING MATERIALS TO REMAIN IN PLACE MORE THAN THREE (3) DAYS SHALL BE FURNISHED WITH EROSION AND SEDIMENT CONTROL MEASURES. STOCK PILES NOT ACTIVELY WORKED AND TO REMAIN IN PLACE FOR 14 DAYS OR MORE SHALL RECEIVE TEMPORARY STABILIZATION.

8. THE CONDITION OF THE CONSTRUCTION SITE FOR WINTER SHUTDOWN SHALL BE ADDRESSED EARLY IN THE FALL GROWING SEASON SO THAT SLOPES AND OTHER BARE EARTH AREAS MAY BE STABILIZED WITH TEMPORARY AND/OR PERMANENT VEGETATIVE COVER FOR PROPER EROSION AND SEDIMENT CONTROL. ALL OPEN AREAS THAT ARE TO REMAIN IDLE THROUGHOUT THE WINTER SHALL RECEIVE TEMPORARY EROSION CONTROL MEASURES INCLUDING TEMPORARY SEEDING, MULCHING AND/OR EROSION CONTROL BLANKET PRIOR TO THE END OF THE FALL GROWING SEASON. THE AREAS TO BE WORKED BEYOND THE END OF THE GROWING SEASON MUST INCORPORATE SOIL STABILIZATION MEASURES THAT DO NOT RELY ON VEGETATIVE COVER SUCH AS EROSION CONTROL BLANKET AND HEAVY MULCHING.

9. UNLESS OTHERWISE INDICATED, ALL VEGETATIVE AND STRUCTURAL EROSION AND SEDIMENT CONTROL PRACTICES WILL BE INSTALLED AT MINIMUM ACCORDING TO THE STANDARDS AND SPECIFICATIONS IN THE ILLINOIS URBAN MANUAL, REVISED TO THE LATEST VERSION AS AMENDED.

10. AFTER ALL PERIMETER EROSION CONTROL BARRIER IS REMOVED, THE AREAS DAMAGED BY THE PERIMETER EROSION BARRIER MUST BE RESTORED.

11. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DIVERT ALL WATER (GROUND, STORM, CONSTRUCTION) DURING CONSTRUCTION IN ORDER TO KEEP THE CONSTRUCTION AREA FREED OF WATER. BYPASS PUMPING, INCLUDING SILT BAGS AND AN ENERGY DISSIPATION SURFACE FOR THE PUMPS, SHALL BE UTILIZED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO SIZE THE PUMPS APPROPRIATELY. A MINIMUM OF 10' x 15' SEDIMENT FILTER BAG SHALL BE USED DURING DEWATERING ACTIVITIES.

12. DURING DEWATERING/PUMPING OPERATIONS, ONLY UNCONTAMINATED WATER SHOULD BE ALLOWED TO DISCHARGE TO PROTECTED NATURAL AREAS, WATERS OF THE STATE, OR TO A STORM SEWER SYSTEM (IN ACCORDANCE WITH LOCAL PERMITS). INLET HOSES SHOULD BE PLACED IN A STABILIZED SUMP PIT OR FLOATED AT THE SURFACE OF THE WATER IN ORDER TO LIMIT THE AMOUNT OF SEDIMENT INTAKE. PUMPING OPERATIONS MAY BE DISCHARGED TO A STABILIZED AREA THAT CONSISTS OF ENERGY DISSIPATING DEVICE (EG STONE), SEDIMENT FILTER BAG, OR BOTH. ADEQUATE EROSION AND SEDIMENT CONTROLS SHOULD BE USED DURING DEWATERING OPERATIONS AS NECESSARY. DEWATERING SEDIMENT LADEN WATER DIRECTLY INTO FIELD TILES, STORM WATER STRUCTURES, OR "WATERS OF THE US" IS PROHIBITED.

STORMWATER OUTFLOW CONTRIBUTING/RECEIVING WATERS

FROM SITE – DETENTION POND

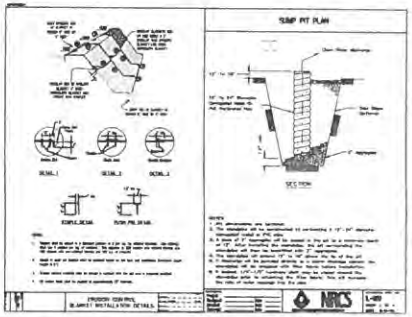
TO RECEIVING WATERS – STORM SEWER IN COUNTY ROW

PROPOSED GRADE INFORMATION THAT IS PROVIDED ON THE SWPPP SITE MAP IS FOR THE PURPOSE OF INDICATING FINAL DRAINAGE PATTERNS ONLY. SEE GRADING PLAN FOR FINAL GRADING DETAILS.

THE CONTRACTOR SHALL MAINTAIN ALL EXISTING ROADWAYS, SIDEWALKS, DRIVES, ETC., TO BE FREE AND CLEAR OF ANY CONSTRUCTION DEBRIS AND/OR EXCAVATED AND HAULED MATERIAL TO ENSURE EASY AND SAFE PEDESTRIAN AND VEHICULAR TRAFFIC TO AND FROM ADJACENT SITES.

ILLINOIS URBAN MANUAL PROTECTIONS:
IP-2, CURB (ROCK) SOCKS UPSTREAM OF INLET PROTECTION,
OR-GRADE INLETS
IP-3, ROCK SOCK INLET PROTECTION FOR SUMP/AREA INLET
IP-5, OVER-EXCAVATION INLET PROTECTION
DP-1, CULVERT INLET PROTECTION

SCALE IN FEET



ACREAGE SUMMARY

NOTICE OF INTENT (NOI)
FOUR SEASONS STORAGE FACILITY
1233 BUELL AVENUE
JOLIET, IL 60436

PHONE (815) 655-9914

LANDOWNER: JAMES & DENISE MAFFEO

TOTAL SITE AREA	8.99 ACS
TOTAL DISTURBED AREA	8.84 ACS
PROPOSED IMPERVIOUS AREA	3.51 ACS
LANDSCAPED AREA	5.18 ACS
PROPOSED CN	87

TEBRUGGE ENGINEERING
410 E. FISHER STREET - SUITE A • SANDWICH, IL 60548
PHONE (815) 786-0193 TEBRUGGEENGINEERING.COM

REVISIONS	NO.	DATE	NOTES
	1	1.17.20	WATERSHED LETTER 1.17.20
	2	6.24.20	DETENTION SYSTEM LETTER 6.24.20

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
STORM WATER POLLUTION & PREVENTION PLAN

PROJECT NO.	19-447.02
SCALE	1" = 40'
DATE	JAN 15 2020
SHEET NO.	3
OF # SHEETS	

1. GENERAL NOTES & DESCRIPTIONS

The Storm Water Pollution Prevention Plan (SWPPP) includes, but is not limited to the Erosion and Sediment Control Plan included in the Engineering Plans with the Detail Sheet, the Notice of Intent, Permit Authorization, General Permit, Notice of Termination, All revisions or modifications, and all other documents relating to the storm of the project, and other documents as may be included by reference to this SWPPP. Changes, modifications, revisions, additions, or deletions shall become part of this SWPPP as they occur.

All Contractors and sub-contractors that are responsible for implementing and measures of the SWPPP must be identified and must certify this SWPPP by signing the SWPPP certification in accordance with Part 5(J) (Signatory Requirements) of the ILR10 Permit.

All signed certifications must be kept with the SWPPP documents and be available for inspection.

The Contractor and all sub-contractors involved with construction activity that disturbs site soil or who implement a pollutant control measure identified in the Storm Water Pollution Prevention Plan must comply with the following requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit, the NPDES Permit No. ILR10 for the State of Illinois and any local governing agency having jurisdiction concerning erosion and sediment control.

A. GENERAL PERMIT INFORMATION

All construction other than will result in the disturbance of one acre or more must be permitted under the Illinois General NPDES Permit. The Notice of Intent (NOI) has been submitted at the address below. The NOI is for the on-site and offsite improvements. The NPDES Permit will be issued 30 days after the postmark date of the submittal of the NOI and initial permit fee.

Permit Information: The Owner has mailed the Owner-signed NOI form and the initial yearly fee of $500 to the address listed below. The Contractor will be responsible for submitting each subsequent $500 yearly fee, if applicable. A copy of the signed NOI form will be supplied to the Contractor.

Unless notified by the Illinois Environmental Protection Agency (IEPA) to the contrary, construction activities may begin in accordance with this SWPPP and the ILR10 in 30 days following the post mark date of the NOI.

Transfer Information: If a portion of the property is sold, that new Owner may obtain their own general permit by submitting a separate NOI. The original NOI may then be modified by re-submitting the NOI with obsolete portions and attaching the new "change of information" also transfer documentation explaining that a lot has been sold, the acreage difference and the date of sale. There is no fee involved with modifying the NOI.

There are no requirements for a pre-construction meeting from any of the reviewing agencies.

Agency Information:

Illinois Environmental Protection Agency Division of Water Pollution Control 1021 North Grand Avenue East Springfield, Illinois 62794-9276 Phone: (217) 782-0610	Kendall County Planning, Building & Zoning 111 West Fox Street Yorkville, Illinois 60560 Phone: (630) 553-4141

B. PUBLIC POSTING

The following documents will be supplied to the contractor and must be posted at the Entrance Site in a prominent place for public viewing until termination of permit coverage has been received by filing the Notice of Termination (NOT).

1. Notice of Intent signed in accordance with ILR10.
2. Permit Authorization from the Illinois Environmental Agency (EPA).
3. Construction Site Notice.

The location of the SWPPP must be clearly visible.

C. METHODS OF RECORDS

A complete copy of the SWPPP, including copies of all inspection reports, site revisions, etc., must be retained at the project site at all times during the duration of the project (until NOT is filed) and kept in the permanent project records of the Contractor for at least three years following submittal of the Notice of Termination (NOT).

D. CONTRACTOR/SUB-CONTRACTOR LIST

The Contractor must provide names and addresses of all sub-contractors working on this project who will be involved with the major construction activities that disturb site soil. This information must be kept with the SWPPP.

E. CONTRACTOR/SUB-CONTRACTOR CERTIFICATION FORM

The Contractor and all sub-contractors involved with ground disturbing or installation and maintenance of any Best Management Practices (BMP) on site must sign a copy of the Contractor Certification that will be supplied to the Contractor. This information must be kept with the SWPPP.

F. INSPECTIONS

At least once every seven calendar days and within 24 hours of a 0.5 in rainfall event, inspections by documented Certified Compliance Officer must be made to determine the effectiveness of the SWPPP. If the State or Local regulation have a requirement more frequent than the minimum requirements, the SWPPP, including the best management practices implemented on the jobsite, must be modified as needed to reduce or prevent pollutants from discharging from the site.

An example BMP Inspection Form will be supplied to the Contractor.

A delegation of authority letter authorizing the Contractor Compliance Officer to sign the inspection forms will also be supplied by the Contractor.

The Inspector must be a person familiar with the site, the nature of major construction activities, and qualified to evaluate both whether measures in the pollution prevention plan are adequate and properly implemented and whether additional measures are needed. The Inspector must either be employed by the permittee or employed by contractors or subcontractors working on the site. If needed, in order to increase effectiveness to an acceptable level, in accordance with the authority to amend such things to improve. Additionally, the inspector must be properly authorized in accordance with the applicable General Permit to conduct the certified site storm water inspections.

See Section VI on this sheet for further reporting requirements.

G. SWPPP UPDATES & AMENDMENTS

This SWPPP must be updated each time there are significant modifications to the pollution prevention system or a change of Contractors working on the project that disturb site soils. The SWPPP must be amended as necessary throughout the duration of the project to keep it current with the pollutant control measures utilized on the site, during the course of construction. It must also reflect if has to be maintained. It is acceptable to add addenda, clarifications, new drawings, or revised drawings. The site map showing the locations of all storm water controls must be posted with the most current revised version. Any changes in the design of construction and changes to the SWPPP. Any control measure that has a hydrologic design component must be updated or amended by the Engineer. Substitution of sediment control BMPs beyond those specified in the SWPPP is considered a hydrologic design component.

H. DISCHARGE OF PETROLEUM PRODUCTS OR HAZARDOUS SUBSTANCES

Discharge of Petroleum products or other hazardous substances into storm water or the storm water (storm sewer) system is subject to reporting and clean up requirements. See section V.B.2. of this SWPPP for State and local information on reporting spills. Refer to the General Permit for additional information.

I. NOTICE OF TERMINATION

Once the site reaches final stabilization as defined in the General Permit, with all permanent erosion and sedimentation controls installed and all temporary erosion and sedimentation controls removed, the Contractor and Owner's representative must complete a Final Inspection and approval by the Owner's representative, the Owner and Contractor, as applicable, must complete and submit a NOT.

J. CONTRACTORS RESPONSIBILITY

The SWPPP intends to control water-borne and flood pollutants originating by some construction of transportation, sedimentation, filtration, and containment. The contractor is responsible for the installation, maintenance, and removal of the controls used to the most to periodically refine and update the SWPPP in order to accomplish the intended goals. The Contractor is ultimately responsible for all site conditions and permit compliance.

K. LOG OF CONSTRUCTION ACTIVITY

A record of dates when major ground-disturbing activities occur, when construction activities temporarily or permanently cease on a portion of the site, and when stabilization measures are initiated must be maintained individually until the NOT is filed. A log for keeping such records is included. Controls must be in place when conditions allow it. Any construction activities refer to the commencement of construction and noted on this site log and Record of Stabilization and Construction Activity Dates.

2. INTRODUCTION

This SWPPP includes the elements necessary to comply with the natural baseline general permit for construction activities administered by the US Environmental Protection Agency (EPA) under the National Pollutant Discharge Elimination System (NPDES) program, the NPDES Permit No. ILR10 for the State of Illinois, and all Local governing agency requirements. This SWPPP must be implemented at the start of construction.

Construction phase pollutant sources anticipated at the site are disturbed (bare) soil, certain tools and lubricants, chemicals associated with building construction, and building materials. Without adequate control there is a potential for each type of pollutant to be transported by storm water.

Project construction will consist primarily of site grading, utility service connections, and site paving to facilitate construction.

A. PURPOSE

A major goal of pollution prevention efforts during project construction is to control and sediments that originate on the site and prevent them from leaving to surface waters. The purpose of this SWPPP is to provide guidelines for achieving that goal. A successful pollution prevention program relies upon careful inspection and performance during the construction process in order to enhance its effectiveness.

B. SCOPE

This SWPPP must be implemented before construction begins on the site. It primarily addresses the impact of storm rainfall and runoff on areas of the ground surface disturbed during the construction process. In addition, there are recommendations for controlling other sources of pollutants that may accompany the major construction activities. The SWPPP will terminate after temporary erosion and sediment controls are removed, construction activities covered controls are installed, temporary erosion and sedimentation controls are removed, construction activities covered lands have evolved, and a completed Notice of Termination (NOT) is transmitted to the governing agency.

3. PROJECT DESCRIPTION

Described below are the major construction activities that are included in this SWPPP. Also included in the sequence and BMP installation activities that must take place prior to construction activities. NOTE: Some phase protection measures must always be in place before soil is disturbed. Activities are presented in the order (sequence) they are intended to be completed.

All activities and time frames (beginning and ending dates) shall be noted on the Site Map. The sequence of construction is as follows:

Upon implementation and installation of the following erosion barriers, grading, top soil, perimeter, shall work, concrete washout, temporary areas, and material storage locations, until waste containers, etc., immediately adjacent to the Site Maps and note any changes to location as they occur throughout the construction process.

Typical Stage of Construction, items shall be added or deleted as needed for each individual project.

Phase I
1. Install stabilized construction entrance and SWPPP Entrance Sign.
2. Install silt fence(s) on the site (clear only those areas necessary to install silt fence).
3. Prepare temporary parking and storage area.
4. Install and maintain hydraulic control fence devices (ditch, swales, shoot dams, etc.).
5. Begin grading the site.
6. Start construction of building pad and structures.

Phase II
7. Temporarily seed, throughout construction, denuded areas that will be inactive for 14 days or more.
8. Install utilities, underground, storm, sanitary and gutters.
9. Install inlet protection at all storm sewer structures as each inlet structure is installed.
10. Permanently stabilize areas to be inactivated as they are brought to final grade.
11. Pave roads.
12. Finish site.
13. Install appropriate final protection devices for paved areas as work progresses.
14. Complete grading and installation of permanent stabilization over all other including surface.
15. Call Engineer after the site appears to be fully stabilized for inspection.
16. Remove all temporary erosion and sediment control devices after approval of the Engineer and stabilize any areas disturbed by the removal of the BMP.

NOTE: The Contractor may complete construction-related activities concurrently only if all preceding BMPs have been completely installed.

The actual schedule for implementing pollutant control measures will be determined by project construction progress and amended by the Contractor on the Soil Erosion/Sediment Control Operation Time Schedule on the Erosion and Sediment Control Plans. Down slope protective measures must always be in place before soil is disturbed.

4. SITE DESCRIPTION

1. Site description
   Site construction activities consist of general site clearing, grading for building pads, excavation or retention pond, and construction of sanitary drive and parking lot.
2. Total area of site = 5.00 acres
   Total disturbed area on site = 5.04 acres
3. Estimated site runoff coefficient after construction activities are complete: C=±0.7.
4. Site map boundary indicating outfalls & proposed storm sewer site is included in SWPPP.
5. Site drainage is received by Storm Sewer in the County ROW.

5. STORM WATER POLLUTION PREVENTION MEASURES AND CONTROLS

A variety of storm water pollutant controls are recommended for this project. Some controls are intended for function temporarily and will be used as needed for protection of the natural drainage during the construction period. These include temporary sediment barriers and permanent storm water pollutant controls. Other controls are intended for permanent installation. Permanent stabilization will be accomplished by seeding and sodding the soil after placement, building foundation, vegetation, or other forms of soil stabilization.

A. EROSION AND SEDIMENT CONTROLS

1. Soil Stabilization
   The purpose of soil stabilization is to prevent soil from eroding and leaving the site. In the natural condition, soil is stabilized by native vegetation. The goal is to duplicate this condition as much as possible. Effort will be to provide a protective cover of grass, pavement, or building structures.

   a) Temporary Seeding or Stabilization – All denuded areas that will be inactive for 14 days or more must be stabilized temporarily with fast or high-germinating ground protection, including mulches, straw/fiber mulch, mulch fibers, tackifiers, matting or blankets.

   b) Permanent Seeding or Sodding – All areas of final grade must be seeded or sodded within 14 days after completion of work in any area. The entire site must have permanent vegetative cover established to at least 70% coverage by hydroseed of the completion of all soil disturbing activities or site. Except for small local repairs, seeded areas will not be considered established as specified in the Landscape Plan.

2. Structural Controls

   a) Silt Fence – Silt fence is a synthetic permeable screen or non-woven geotextile fabric incorporating metal support stakes at intervals, reinforced to support the fence (3-foot maximum distance between posts), nailed, and anchored retained by the fence. The fence is designed to retain sediment-laden storm water and allow settlement of sediment before the storm water leaves the site. Silt fence will be placed on the contour of slopes, and the ends will be turned on the contour to capture overland, low-velocity sheet flows. The Contractor may utilize triangular silt fence dams in isolated areas of flow to intermediate BMPs, located on flat areas or at ditch and grade dams, the number with the ends turned uphill to provide sufficient upstream storage volume for the anticipated runoff. Drainage areas shall not exceed 1 acre per 100 feet of silt fence for slopes less than 2 percent.

   b) Construction Exit – All access points from the public street into the construction site shall include a construction exit consisting of course stone to the dimensions shown on the Existing Conditions and Demolition Plan. The rough texture of the stones helps to remove clumps of soil adhering to the construction vehicles tires through the action of vibration and jarring over the rough surface and the friction of the stone mulch against soils attached to vehicle tires.

   In addition to the stone at the construction exit, it may be necessary to install shallow wash in place (cattle guard) to increase the vibration and jarring if mud is not being removed. To install a shallow wash system, if this is done, a temporary berm control must be installed to direct the wash water before it discharges from the site.

   All site access must be coordinated by the Construction Exit(s). Barricades, wattlework to prevent use, any locations other than Construction Exit(s) where vehicles or equipment may access the site.

   c) Storm Sewer Inlet Protection – Curb and grated inlets are protected from the intrusion of sediment through a variety of measures as shown on the details included in the Construction drawings. The primary mechanism is the installation of barriers on the path of the storm water runoff to slow the sediment-laden water to allow sediment to settle out of suspended soils before discharging into the storm sewer. It is possible that as construction progresses from beginning to completion, the inlet protection devices may be changed to meet the needs under before it discharges from the site.

   All site access must be coordinated by the Construction Exit(s). Barricades, wattlework to prevent use, any locations other than Construction Exit(s) where vehicles or equipment may access the site.

   d) Inspection and any necessary cleaning of the underground storm system shall be included as part of this

Final site stabilization is achieved when perennial vegetative cover provides permanent stabilization with a density greater than 70 percent over the entire area to be stabilized by vegetative cover. This is evidence of areas joined, method, or similar is building on the site.

B. OTHER POLLUTANT CONTROLS

The contractor institution the controls of pollutants other than sediment and additional requirements of the General Permit.

1. Dust Control
   Construction traffic must enter and exit the site at the stabilized construction exit. Water trucks or other dust control agents will be used as needed during construction to reduce dust generation. Dust control used must be provided by the Contractor in a manner that is in compliance with applicable Local and State dust control regulations.

2. Solid Waste Disposal
   No solid materials, including building materials, are allowed to be discharged from the site with storm water. All solid materials, including discarded building materials, garbage, and debris. To meet the requirements and objectives of this SWPPP, the contractors will be provided as necessary by a contract local disposal service and hauled away from the site. Sanitary facilities will be provided as necessary to meet State and Local requirements. The location of solid waste receptacles shall be shown on the Site Maps.

Substances that have the potential for polluting surface and/or groundwater must be controlled by whatever means necessary in order to ensure that they do not discharge from the site. As an example, treated used should be segregated, labeled, properly disposed of, and handling operations. If a spill occurs, it must be controlled and cleaned up at once. If spill during significant building and washing operations, it is spill occurs, it must be controlled and cleaned up at once. If spill occurs, it must be reported to the Engineer. Spill prevention, containment, and control measures are detailed in this report, potentially polluting substances should be handled in a manner consistent with the hazard they represent.

3. Sanitary Facilities
   All personnel involved with construction activities must comply with State and Local sanitary or waste regulations. Temporary sanitary facilities will be provided at the site throughout the construction phase. They must be utilized by all personnel involved with construction and will be serviced by a commercial operator. The location of sanitary facilities shall be shown on the Site Map.

4. Non-Storm Water Discharge
   Non-storm water discharges of site discharges are not permitted under ILR10 except as follows: discharges from fire fighting activities, the General Discharge waiver used to wash vehicles where detergents are not used, water used to control dust, pavement wash waters where spills or leaks of toxic or hazardous materials have not occurred (unless all spilled material has been removed) and where detergents are not used, or uncontaminated groundwater or spring water, uncontaminated ground water, and foundation or building drains where flows are not contaminated with process materials such as solvents.

5. Concrete Waste from Concrete Ready-Mix Trucks
   Concrete waste from concrete trucks will be allowed on the construction site, but only in specifically designated areas. Concrete waste from concrete trucks will be allowed to discharge or be washed down in areas other than designated areas for this site. Additionally, waste materials will be placed into forms in order to control spillage. Any hardened concrete will be disposed of properly. The Contractor is responsible for compliance with applicable State and Federal regulations. The Ready-mix supplier is responsible for cleaning of these procedures are followed. The location of concrete washout areas shall be shown on the Site Maps.

6. Owner's Area
   Contractor shall identify owner's area on the site and indicate location on the Site Map. To the extent practical, all temporary facilities and operations will be located away from drainage ways and storm inlets. Areas of steep slopes within the area identified. Stored material, such as borrow or aggregate stockpiles, silt fences, other controls, or other means of control shall be shown on the Site Map. Material Safety Data Sheets (MSDS) for all materials stored on site. Arrangements for disposal of waste from the owner's area. Arrangements for debris and trash disposal shall also be provided.

7. Fuel Tanks
   Temporary on-site fuel tanks for construction vehicles shall meet all State and Federal regulations. Tanks shall have approved spill containment with 10% capacity of the largest tank or 110% capacity of the largest tank within the containment area. Tanks shall be clearly labeled with appropriate contents. Fuel storage areas will meet all EPA, OSHA, and other regulatory requirements. Contractor shall be responsible for proper handling, storage, and disposal of petroleum products used or stored on site. The location of all fuels shall be shown on the Site Maps.

   A Spill Prevention, Control and Countermeasure (SPCC) Plan must be developed if aboveground oil storage capacity of the construction site exceeds 1,320 gallons. Compliance with storage requirements of 55-gallons or less are not required. Compliance with the SPCC Plan is mandatory with the Oil Pollution Prevention regulation in title 40 of the Code of Federal Regulations, (40 CFR 112).

8. Hazardous Material Management and Spill Reporting Plan
   Any hazardous or potentially hazardous material that is brought onto the construction site will be handled properly in order to prevent storm water pollution. Material Safety Data Sheets (MSDS) for materials used on this construction site will be properly maintained, documented and disposed of following all regulations listed below. Statutory Safety Data Sheets (MSDS) information is listed, stored and disposed of following all regulations listed below.

   In the event of an accidental spill, immediate actions will be undertaken by the Contractor to contain and remove the spilled material. The Contractor will immediately notify the Engineer of the spill. The Contractor will be responsible for all costs associated with the containment and removal of the spilled material. Any fines or penalties that are assessed to the Owner or Contractor as a result of the spill will be responsible for the payment of the fine. Additionally, some materials can be placed into forms in order to control spillage. Any hardened concrete will be disposed of properly. The Contractor is responsible for compliance with applicable State and Federal regulations. The Ready-mix supplier is responsible for cleaning of these procedures are followed. The location of concrete washout areas shall be shown on the Site Maps.

   Any spills of petroleum products or other contaminants substances in excess of Reportable Quantities as defined by EPA shall be reported immediately to the EPA National Response Center (1-800-424-8802). In addition, 35 IL. Adm. Code 750.610 requires notification of IEMA (1-800-782-7860). Reportable chemicals and quantities are listed in the Superfund Amendments and Reauthorization Act of 1986 (SARA). The emergency planning provisions of SARA are administered under the Federal Water Pollution Control (33 U. S.C. Sec. 1251 et seq.) and the Illinois Environmental Protection Act (415 ILCS 5/1 et seq.) by the Illinois EPA. Any generally applicable spills that are in excess of 25 pounds and or "may be harmful" to public health or the environment (40 CFR 110), harmful discharges include sheen, oil film, discoloration, sludge deposits, or (2) have a film on the water or underlying shorelines or create a sludge or emulsion to be reported include the water's bottom or on adjoining shorelines. The reportable quantity is the minimum amount that must be reported immediately to the IEMA (1-800-782-7860).

   In order to minimize the potential for a spill of petroleum product or hazardous materials in excess to control with storm water, the following steps will be implemented:

   a) All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, and wastes), will be stored in a covered storage area. Containers (drums, material, curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.

   b) The minimum practical quantity of all such materials will be kept on the job site and scheduled for delivery as close to the time of use as practicable.

   c) An spill control and containment kit (containing as example, absorbent material such as kitty litter or sawdust, and neutralizing agent, bucking, used gloves, plastic bags, gloves, goggles, plastic and metal trash containers, etc.) will be provided at the storage area.

   d) All of the products in a container will be used before the container is disposed of. All such containers will be triple rinsed, with water prior to disposal. The rinse water used is there considered will be disposed of in a manner in accordance with State and Federal requirements as specified in the manufacturer's recommendations.

   e) All products will be stored in and used from the original container with the original product label.

   f) All products will be used in strict accordance with instructions on the product label.

   g) The disposal of excess or used products will be in strict accordance with instructions on the product label.

9. Long Term Pollutant Controls
   Storm water pollutant control measures installed during construction, that will also provide storm water management benefits after construction, include but not limited to sufficient quantity so as to provide a site impervious ratio (SIR) or 0.70.

C. CONSTRUCTION PHASE "BEST MANAGEMENT PRACTICES" (BMPs)

During the construction phase, the Contractor shall implement the following measures:

1. Materials resulting from the clearing and grubbing or accumulative operations shall be stockpiled on slope, from adjacent storm sewer materials. Materials removed to an off-site location shall be protected with appropriate controls and properly permitted.

2. The Contractor shall designate areas on the Site Map for washdown operations, maintenance, and repair. The Contractor and sub-contractors shall utilize such designated areas. Cleaning, maintenance, and repair shall be performed by a controlled area to prevent contamination from storm water leaks.

3. Use of detergents for large scale washing is prohibited (i.e. vehicles, buildings, pavement, surfaces, etc.).

4. Chemicals, paints, solvents, fertilizers, and other toxic materials must be stored in watertight containers. Except during application, the containers, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste and chemical disposal facility.

D. OFF-SITE FACILITIES & THE OPERATIONAL CONTROL OF THE CONTRACTOR

Borrow pit, road, or other materials are important to the construction site or supported for permanent in areas off the primary construction site, the Contractor is responsible for determining that all storm water requirements are applied, control requirements are met for each site where materials are also shown, maintained, and removed. Any of these items is a failure. Prior to the determination of any such sites, Contractor will confirm that the site complies with all State requirements.

Responsible for or supported from have property obtained of required permits, and will comply with all laws, regulations and permit conditions applicable to such sites.

As a minimum, such off-site areas that provide or receive material or is disturbed by project activities must implement erosion and sediment control measures consisting of perimeter controls on all down slope and side slopes. Installation and must also provide for both temporary stabilization and for permanent re-vegetation after all disturbances has ended.

E. LOCAL PLANS

In addition to this SWPPP, construction activities associated with this project must comply with any guidelines set forth by Local regulatory agencies. The Contractor shall maintain documents evidencing such compliance in this SWPPP.

6. INSPECTIONS AND SYSTEM MAINTENANCE

Before the Site Map SWPPP is implemented and final Notice of Termination has been submitted, all disturbed areas and pollutant controls must be inspected weekly and within 24 hours of the end of a storm event 0.5 inches or greater. The purpose of this inspection is to ensure performance of pollutant controls, the installation of additional controls. The purpose of this inspection is to ensure performance of pollutant controls, the installation of additional controls. The Contractor's Site Superintendent, or Inspection, the Contractor will maintain a record of the inspection. If necessary to modify this SWPPP, add or eliminate controls, or revise or implement additional Best Management Practices, in order to ensure that the objectives of this SWPPP are met. The Contractor will have the duty to ensure pollutant control measures to be installed, modified, implemented, or take additional steps as necessary in order to meet the objectives of this SWPPP.

Examples of specific items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection, this inspection form should be used to guide the inspection. Additional or not applicable details of individual control measures implemented. Additional factors should be considered as appropriate to the circumstances.

A. CONSTRUCTION EXIT AND TRACK OUT

Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction exit(s) shall be constructed where vehicles enter and exit the site. Sediment tracked onto streets in accordance with additional must be removed to prevent the release of sediment from vehicles leaving the site. Any sediment deposited on the streets, or sediment that would be washed into storm sewers by the next rain, must be removed by the end of the day or as soon as practicable. Sediment shall NOT be washed into storm sewer systems.

B. SEDIMENT CONTROL DEVICES

Sediment barriers, traps, and basins must be inspected and they must be cleaned out at least once to their original capacity when sediment has accumulated to 50 percent of the design capacity. Silt fence must be repaired, replaced, or supplemented when they become nonfunctional or the sediment reaches 1/3 the height of the fence. Any sediment removed from sediment control devices shall be incorporated into on-site areas of upland that are not subject portion of the site and stabilized. Additional sediment control must be constructed as needed.

C. MATERIAL STORAGE AREAS

Inspections shall evaluate stockpiled areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system or discharging off-site. If necessary the materials must be removed or adjacent sources must be repaired or supplemented. Also, protective covers must be maintained in good condition to prevent runoff from contact storage areas. All State and Local regulations controlling to material storage areas will be adhered to.

D. VEGETATION

Disturbed areas shall be inspected to confirm that a healthy stand of grass is established. The site has achieved final stabilization when all areas are covered with healthy uniform vegetation with a density of 70 percent of cover. If vegetation of 70 percent density or greater and the entire vegetated area in accordance with the General Permit requirements. The Contractor shall ensure that all temporary controls are removed. Areas must be restored, fertilized, and reseeded as necessary to achieve this requirement.

E. DISCHARGE POINTS

At designated outfalls must be inspected to determine whether erosion and sediment control measures are effective in preventing discharge of sediment from the site or impacts to receiving waters.

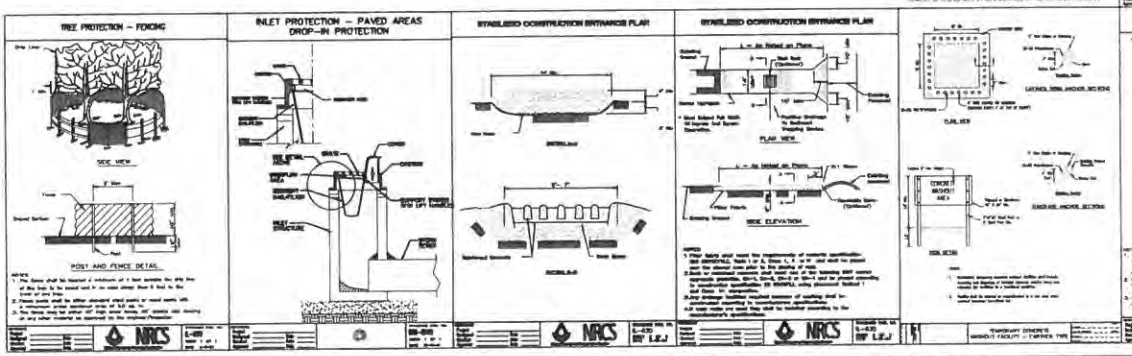
The Inspection Report Form must identify all deficiencies in any corrections, whether they are identified during the current inspection or have occurred since the previous inspection, and any additional corrective. Based on inspection results, the description of pollutant control measures must be revised as necessary to ensure that they remain effective over the next inspection period and to prepare those which are no longer effective. The inspection reports must be summarized and additional information. The inspection report must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a statement that the inspection was conducted in accordance with this SWPPP and the terms of the permit. Each report must be signed and dated in accordance with the requirements of the General Permit.

The Inspection Report Form must summarize the scope of the inspection, name(s) and qualifications of personnel making the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWPPP, and corrective actions in accordance with section V.A shall be made and retained as part of the plan for at least six years after the date of the inspection. The report shall be signed in accordance with Part V.G of the General Permit.

If any violation of the provisions of this plan is identified during the conduct of the construction work covered by this plan, the Contractor's Compliance Officer shall immediately and file an "Instances of Noncompliance" (ION) report for the violation(s). The Contractor's Compliance Officer shall on forms provided by the EPA and shall include specific information on the nature of noncompliance, and the steps taken (or planned) to reduce, eliminate, and prevent reoccurrence of the violation. Appropriate changes shall be made to the SWPPP as soon as possible, but no later than 7 calendar days following the identification of the violation. All reports of noncompliance shall be submitted to the following address:

Illinois Environmental Protection Agency
Division of Water Pollution Control
Attn: Compliance Assurance Section
1021 North Grand East
P.O. Box 19276
Springfield, IL 62794-9276

Differently, it is the responsibility of the General Contractor to assure the enforcement of the pollutant discharge controls and pollutant discharge controls as shown on the plans. For example, the Contractor's responsibilities of runoff must make it necessary to install additional controls, or to remove controls that are no longer necessary. The Contractor is responsible for modifying controls and is a continuing aspect of this SWPPP until the site achieves final stabilization. Any modifications, additions or deletions of sediment control devices must be approved by the Engineer through written authorizations.



TEBRUGGE ENGINEERING
410 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE: (815) 786-4191 TEBRUGGEENGINEERING.COM

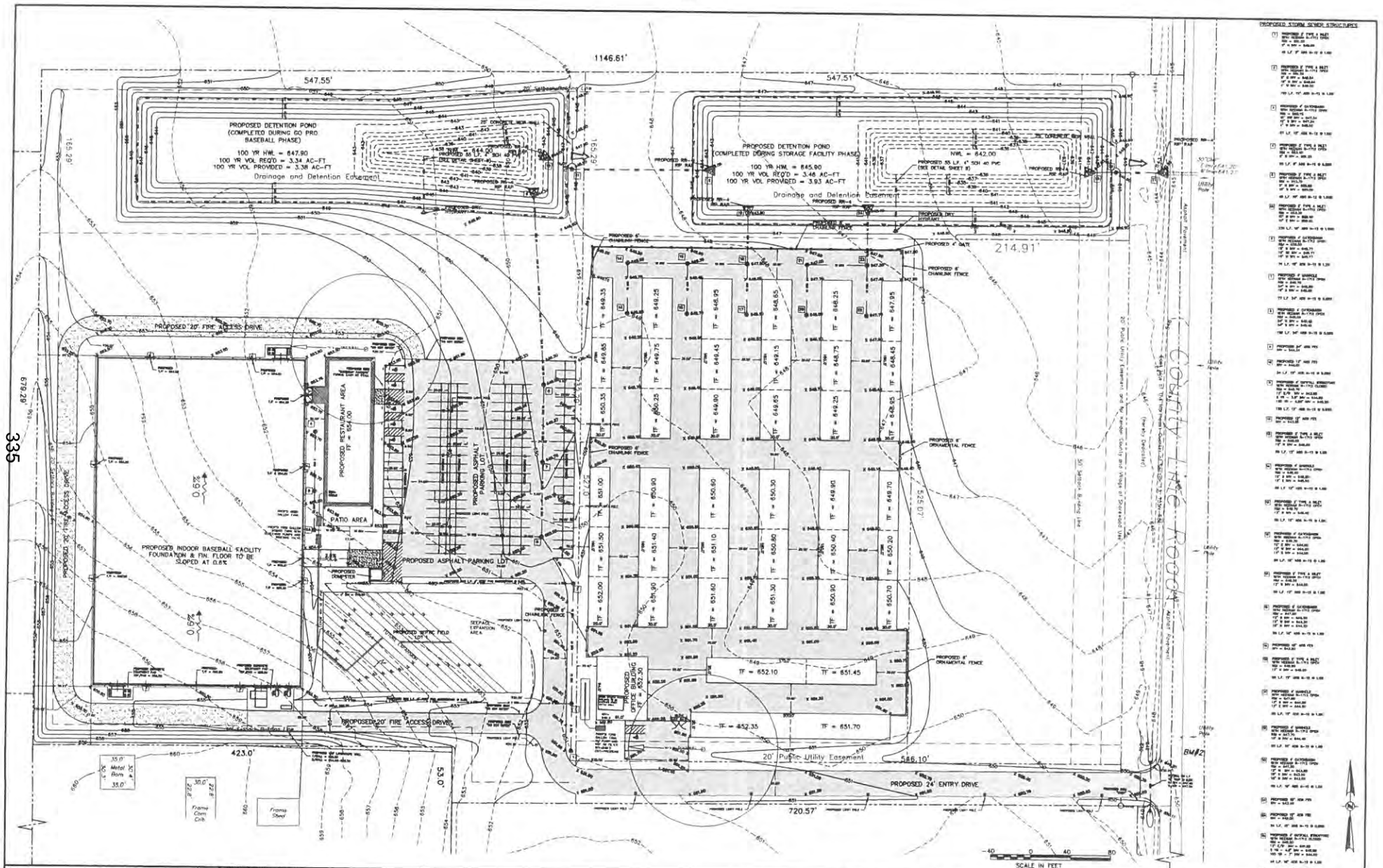
REVISIONS	NO.	DATE	NOTES
	1	2/1/20	VILLAGE REVIEW LETTER 2/21/20
	2	6/24/20	ENGINEERING REVIEW LETTER 6/24/20

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
STORMWATER POLLUTION & PREVENTION PLAN DETAILS

PROJECT NO.	19-447.02
SCALE:	1" = 40'
DATE:	JAN 14, 2020
SHEET NO.	4
OF 8 SHEETS	

Exhibit C



PROPOSED STORM SEWER STRUCTURES

TEBRUGGE ENGINEERING
416 E. CHURCH STREET - SUITE A • SANDWICH, IL 60548
PHONE (815) 786-0195 TEBRUGGEENGINEERING.COM

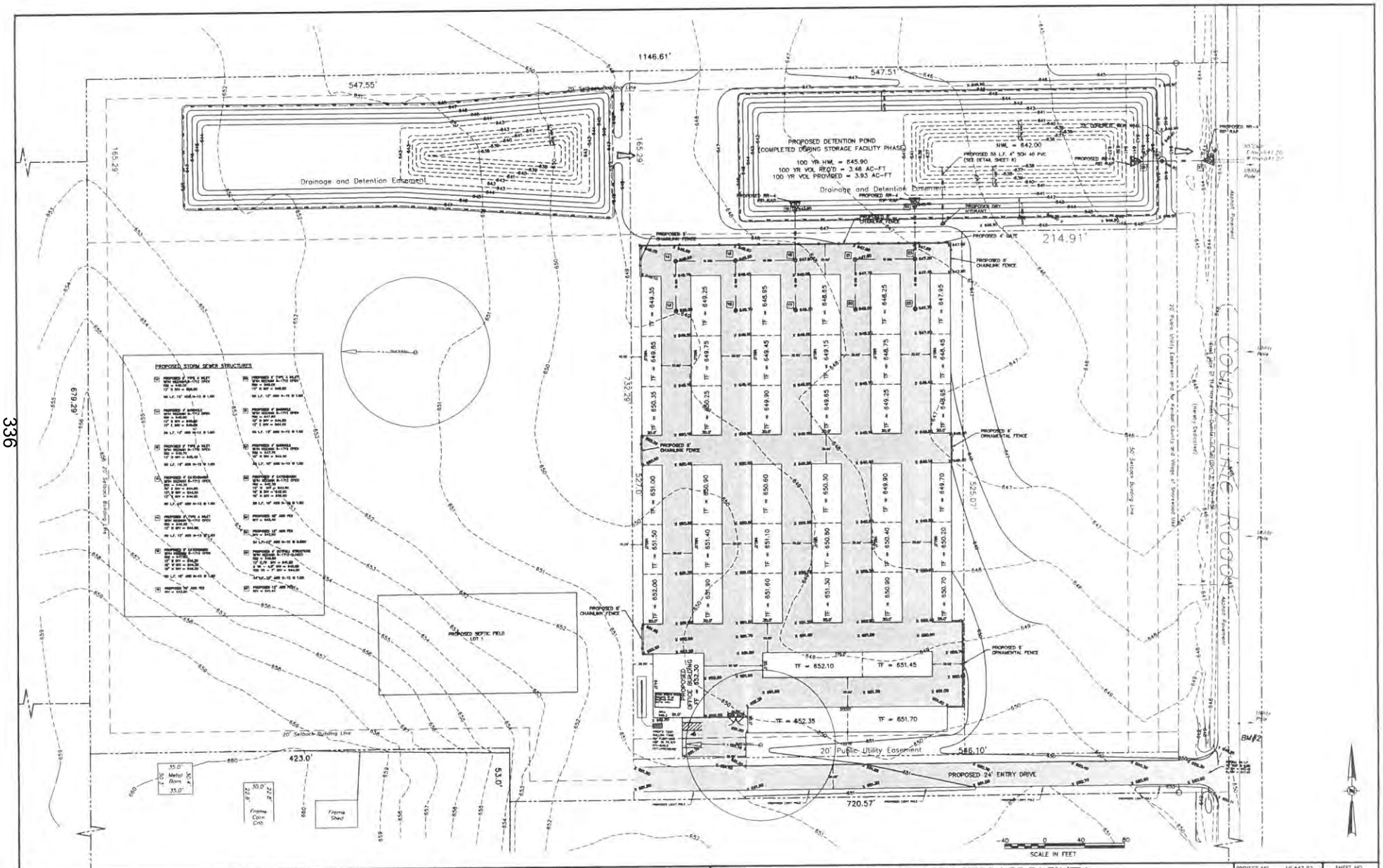
REVISIONS	NO.	DATE	NOTES
	1	4.7.20	PER REVIEW LETTER 4.7.20
	2	5.14.20	SHEETWOOD REVIEW LETTER 5.13.20

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

FOUR SEASONS STORAGE FACILITY
OVERALL CIVIL SITE PLAN

PROJECT NO.	19.447.02
SCALE	1" = 40'
DATE	JAN 16, 2020
SHEET NO.	5
OF 8 SHEETS	

Exhibit C



TEBRUGGE ENGINEERING	PREPARED FOR: JAMES & DENISE MAFFEO, 1223 BUELL AVE, JOLIET, IL
REVISIONS: NO. 1 DATE 7/21/20 NOTES: WRA REVIEW LETTER 7/21/20; NO. 2 DATE 8/24/20 NOTES: CHURCHWOOD REVIEW LETTER 8/19/20	FOUR SEASONS STORAGE FACILITY — CIVIL SITE PLAN
PROJECT NO. 19447.02; SCALE 1" = 40'; DATE JAN 16, 2020	SHEET NO. 6 OF 8 SHEETS

Exhibit C

GENERAL CONDITIONS

1. ALL EARTHWORK, ROADWAY WORK, DRAINAGE WORK OR STORM SEWER WORK SHALL BE PERFORMED UTILIZING MATERIALS AND METHODS IN STRICT ACCORDANCE WITH THE ILLINOIS DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" LATEST EDITION, AS WELL AS THE STANDARD DETAIL SHEETS ATTACHED TO THESE PLANS. ALL MUNICIPAL, COUNTY, STATE AND FEDERAL REQUIREMENTS AND STANDARDS SHALL BE STRICTLY ADHERED TO IN WORK PERFORMED UNDER THIS CONTRACT.

2. ALL SANITARY SEWER AND WATER MAIN WORK SHALL BE PERFORMED USING METHODS AND MATERIALS IN STRICT ACCORDANCE WITH THE LATEST EDITION OF "STANDARD SPECIFICATIONS FOR WATER AND SEWER MAIN CONSTRUCTION IN ILLINOIS", LATEST EDITION, AS WELL AS THE STANDARD DETAIL SHEETS ATTACHED TO THESE PLANS. ALL MUNICIPAL, COUNTY, STATE AND FEDERAL REQUIREMENTS AND STANDARDS SHALL BE STRICTLY ADHERED TO IN WORK PERFORMED UNDER THIS CONTRACT.

3. ANY SPECIFICATIONS WHICH ARE SUPPLIED ALONG WITH THE PLANS SHALL TAKE PRECEDENCE IN THE CASE OF A CONFLICT WITH THE STANDARD SPECIFICATIONS NOTED IN ITEMS NO. 1 AND 2 ABOVE. THE ABOVE STANDARD SPECIFICATIONS & THE CONSTRUCTION PLANS ARE TO BE CONSIDERED AS PART OF THE CONTRACT DOCUMENTS. INCIDENTAL ITEMS OR ACCESSORIES NECESSARY TO COMPLETE THIS WORK MAY NOT BE SPECIFICALLY NOTED BUT ARE TO BE CONSIDERED A PART OF THE CONTRACT.

4. PRIOR TO COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS AFFECTING THEIR WORK WITH THE ACTUAL CONDITIONS AT THE JOB SITE. IF THERE ARE ANY DISCREPANCIES FROM WHAT IS SHOWN ON THE CONSTRUCTION PLANS, HE MUST IMMEDIATELY REPORT SAME TO THE ENGINEER BEFORE DOING ANY WORK, OTHERWISE THE CONTRACTOR WILL BE CONSIDERED TO HAVE PROCEEDED AT HIS OWN RISK AND EXPENSE. IN THE EVENT OF ANY DOUBT OR QUESTION ARISING WITH RESPECT TO THE TRUE MEANING OF THE CONSTRUCTION PLANS OR SPECIFICATIONS, THE DECISION OF THE ENGINEER SHALL BE FINAL AND CONCLUSIVE.

5. ALL WORK PERFORMED UNDER THIS CONTRACT SHALL BE GUARANTEED AGAINST ALL DEFECTS IN MATERIALS AND WORKMANSHIP OF WHATEVER NATURE BY THE CONTRACTOR AND HIS SURETY FOR A PERIOD OF 12 MONTHS FROM THE DATE OF FINAL ACCEPTANCE OF THE WORK BY THE GOVERNING MUNICIPALITY, OTHER APPLICABLE GOVERNMENTAL AGENCIES, AND THE OWNER.

6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL REQUIRED PERMITS FOR CONSTRUCTION ALONG OR ACROSS EXISTING STREETS OR HIGHWAYS. HE SHALL MAKE ARRANGEMENTS FOR THE PROPER BRACING, SHORING AND OTHER REQUIRED PROTECTION OF ALL ROADWAYS BEFORE CONSTRUCTION BEGINS, ALONG WITH ADEQUATE TRAFFIC CONTROL MEASURES. HE SHALL BE RESPONSIBLE FOR ANY DAMAGE TO THE STREETS OR ROADWAYS AND ASSOCIATED STRUCTURES AND SHALL MAKE REPAIRS AS NECESSARY TO THE SATISFACTION OF THE ENGINEER, AT NO ADDITIONAL COST TO THE OWNER.

7. THE UTILITY LOCATIONS, AND THE DEPTHS SHOWN ON THESE PLANS ARE APPROXIMATE ONLY, AND SHALL BE VERIFIED BY THE CONTRACTOR WITH ALL AFFECTED UTILITY COMPANIES PRIOR TO INITIATING CONSTRUCTION OPERATIONS. THE ENGINEER AND OWNER ASSUME NO RESPONSIBILITY FOR THE ACCURACY, SUFFICIENCY OR EXACTNESS OF THESE UTILITY REPRESENTATIONS.

8. PRIOR TO STARTING CONSTRUCTION THE CONTRACTOR SHALL CONTACT THE OFFICE OF J.U.L.I.E. AT 1-800-892-0123 FOR EXACT FIELD LOCATION OF ALL UNDERGROUND UTILITIES IN THE PROXIMITY OF, AND ON, THE PROJECT SITE. IF THERE ARE ANY UTILITIES WHICH ARE NOT MEMBERS OF THE J.U.L.I.E. SYSTEM, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR DETERMINING THIS AND MAKE ARRANGEMENTS TO HAVE THESE UTILITIES FIELD LOCATED.

9. EASEMENTS FOR THE EXISTING UTILITIES, BOTH PUBLIC AND PRIVATE, AND UTILITIES WITHIN PUBLIC RIGHTS-OF-WAY ARE SHOWN ON THE PLANS ACCORDING TO AVAILABLE RECORDS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING THE EXACT LOCATION IN THE FIELD OF THESE UTILITY LINES AND THEIR PROTECTION FROM DAMAGE DUE TO CONSTRUCTION OPERATIONS. IF EXISTING UTILITY LINES OF ANY NATURE ARE ENCOUNTERED WHICH CONFLICT IN LOCATION WITH THE CONSTRUCTION, THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR RELOCATING THESE FACILITIES AT HIS EXPENSE TO ACCOMMODATE THE NEW CONSTRUCTION.

10. ALL FIELD TILE ENCOUNTERED DURING CONSTRUCTION OPERATIONS SHALL BE CONNECTED TO THE PROPOSED STORM SEWER OR EXTENDED TO OUTLET INTO A PROPOSED DRAINAGE WAY. IF THIS CANNOT BE ACCOMPLISHED, THEN IT SHALL BE REPAIRED WITH NEW PIPE OF SIMILAR SIZE AND MATERIAL TO THE ORIGINAL LINE AND PUT IN ACCEPTABLE OPERATIONAL CONDITION. A RECORD OF THE LOCATION OF ALL FIELD TILE FOR ONSITE DRAIN PIPE ENCOUNTERED SHALL BE KEPT BY THE CONTRACTOR AND TURNED OVER TO THE ENGINEER UPON COMPLETION OF THE PROJECT. THE COST OF THIS WORK SHALL BE CONSIDERED AS INCIDENTAL TO THE CONTRACT AND NO ADDITIONAL COMPENSATION WILL BE ALLOWED.

11. IT SHALL BE THE RESPONSIBILITY OF EACH RESPECTIVE CONTRACTOR TO REMOVE FROM THIS SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

12. THE ENGINEER AND OWNER ARE NOT RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR PROCEDURES, TIME OF PERFORMANCE, PROGRAMS OF FOR ANY SAFETY PRECAUTIONS USED BY THE CONTRACTOR. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR EXECUTION OF HIS WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND SPECIFICATIONS.

13. THE CONTRACTOR SHALL COMPLY WITH ALL STATE AND FEDERAL SAFETY REGULATIONS AS OUTLINED IN THE LATEST REVISIONS OF THE FEDERAL CONSTRUCTION SAFETY STANDARDS (SERIES 1926) AND WITH APPLICABLE PROVISIONS AND REGULATIONS OF THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) STANDARDS OF THE WILLIAMS STELGER OCCUPATIONAL HEALTH STATE SAFETY ACT OF 1970(REVISED). THE CONTRACTOR, SUBCONTRACTORS, AND OWNER SHALL EACH BE RESPONSIBLE FOR HIS OWN RESPECTIVE AGENTS AND EMPLOYEES.

14. THE CONTRACTOR SHALL INDEMNIFY THE OWNER, THE ENGINEER, AND ALL GOVERNING AUTHORITIES, THEIR AGENTS SUCCESSORS AND ASSIGNS FROM ANY AND ALL LIABILITY WITH RESPECT TO THE CONSTRUCTION, INSTALLATION AND TESTING OF THE WORK REQUIRED IN THIS PROJECT. IT SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR TO PERFORM THE WORK OF THIS CONTRACT IN A MANNER WHICH STRICTLY COMPLIES WITH ANY AND ALL PERTINENT LOCAL, STATE OR NATIONAL CONSTRUCTION AND SAFETY CODES. THE ENGINEER, OWNER, AND GOVERNING AUTHORITIES ARE NOT RESPONSIBLE FOR ENSURING COMPLIANCE BY THE CONTRACTOR WITH SAID CODES AND ASSUME NO LIABILITY FOR ACCIDENTS, INJURIES, OR DEATHS, OR CLAIMS RELATING THERETO WHICH MAY RESULT FROM LACK OF ADHERENCE TO SAID CODES.

UNDERGROUND UTILITIES

1. ALL UTILITY TRENCHES BENEATH PROPOSED OR EXISTING UTILITIES, PROPOSED OR EXISTING PAVEMENT, DRIVEWAYS, SIDEWALKS AND FOR A DISTANCE OF FIVE (5) FEET ON EITHER SIDE OF SAME, AND/OR WHEREVER ELSE SHOWN ON THE CONSTRUCTION PLANS SHALL BE BACKFILLED WITH SELECT GRANULAR BACKFILL (CA-6 OR CA-7) AND THOROUGHLY COMPACTED IN ACCORDANCE WITH THE EARTHWORK SPECIFICATIONS.

2. UNLESS OTHERWISE INDICATED ON THE PLANS, STORM SEWER PIPE SHALL BE REINFORCED CONCRETE CULVERT PIPE OF THE CLASS AS INDICATED ON THE PLANS, AND CONFORMING TO ASTM C-76. JOINTS SHALL TYPICALLY BE RUBBER "O"-RING GASKET JOINTS CONFORMING TO ASTM C-443. LOCATIONS WHERE THE STORM SEWER CROSSES WATERMAINS AN "O"-RING JOINT IN ACCORDANCE WITH ASTM C-361 SHALL BE USED.

3. STORM SEWER MANHOLES SHALL BE PRECAST STRUCTURES, WITH THE DIAMETER DEPENDENT ON THE PIPE SIZE AND WITH APPROPRIATE FRAME AND LIDS (SEE CONSTRUCTION STANDARDS). LIDS SHALL BE IMPRINTED "STORM SEWER". ALL FLARED END SECTIONS SHALL HAVE A FRAME & GRATE INSTALLED.

4. THESE FRAME AND GRATES FOR STORM STRUCTURES SHALL BE USED UNLESS OTHERWISE INDICATED ON THE PLAN SET. USE NEENAH R-1712 OPEN LID (OR EQUAL) IN PAVEMENT AREAS, USE NEENAH R-1772-B OPEN OR CLOSED LID (OR EQUAL) IN GRASS AREAS, USE NEENAH R-3015 (OR EQUAL) FOR 18-12 CURB AREAS, AND NEENAH R-3506 (OR EQUAL) FOR DEPRESSED CURB AREAS.

5. STRUCTURES FOR SANITARY AND STORM SEWERS AND VALVE VAULTS FOR WATER SHALL BE IN ACCORDANCE WITH THESE IMPROVEMENT PLANS AND THE APPLICABLE STANDARD SPECIFICATIONS. WHERE GRANULAR TRENCH BACKFILL IS REQUIRED AROUND THESE STRUCTURES THE COST SHALL BE CONSIDERED AS INCIDENTAL AND SHALL BE INCLUDED IN THE CONTRACT UNIT PRICE FOR THE STRUCTURE.

6. ALL STORM SEWERS AND WATERMAINS SHALL HAVE COMPACTED CA-7 GRANULAR BEDDING, A MINIMUM OF 4" BELOW THE BOTTOM OF THE PIPE FOR THE FULL LENGTH. BEDDING SHALL EXTEND TO THE SPRING LINE OF THE PIPE. COST FOR THE BEDDING SHALL BE INCLUDED WITH THE UNIT PRICE BID FOR THE PIPE.

7. THE UNDERGROUND CONTRACTOR SHALL BE RESPONSIBLE FOR DEWATERING ANY EXCAVATION FOR THE INSTALLATION OF THE SEWER OR WATER SYSTEMS. ANY DEWATERING ENCOUNTERED SHALL BE INCIDENTAL TO THE RESPECTIVE UNDERGROUND UTILITY.

8. ALL STRUCTURES SHALL HAVE A MAXIMUM OF 8" OF ADJUSTING RINGS, UNLESS OTHERWISE NOTED.

9. ALL TOP FRAMES FOR STORM AND VALVE VAULT COVERS AND B-BOXES ARE TO BE ADJUSTED TO MEET FINAL FINISH GRADE UPON COMPLETION OF FINISHED GRADING AND FINAL INSPECTIONS. THIS ADJUSTMENT IS TO BE MADE BY THE UNDERGROUND CONTRACTOR AND THE COST IS TO BE INCIDENTAL. THE UNDERGROUND CONTRACTOR SHALL INSURE THAT ALL ROAD AND PAVEMENT INLETS OR STRUCTURES ARE AT FINISHED GRADE. ANY ADJUSTMENTS NECESSITATED BY THE CURB OR PAVING CONTRACTOR TO ACHIEVE FINAL RIM GRADE, RESULTING IN AN EXTRA FOR SAID ADJUSTMENTS, WILL BE CHARGED TO THE UNDERGROUND CONTRACTOR.

10. ALL FLOOR DRAINS AND FLOOR DRAIN SUMP PUMPS SHALL DISCHARGE INTO THE SANITARY SEWER.

11. ALL DOWNSPOUTS, FOOTING DRAINS AND SUBSURFACE STORM WATERS SHALL DISCHARGE INTO THE STORM SEWER OR ONTO THE GROUND AND BE DIRECTED TOWARDS A STORM SEWER STRUCTURE.

12. ANY ANTICIPATED COST OF SHEETING SHALL BE REFLECTED IN THE CONTRACT AMOUNTS. NO ADDITIONAL COST WILL BE ALLOWED FOR SHEETING OR BRACING.

13. THE CONTRACTOR SHALL INSTALL A 2"x4"x8' POST ADJACENT TO THE TERMINUS OF THE SANITARY SERVICE, WATERMAIN SERVICE, SANITARY MANHOLES, STORM STRUCTURES, AND WATER VAULTS. THE POST SHALL EXTEND A MINIMUM OF 4 FT. ABOVE THE GROUND. SAID POST SHALL BE PAINTED AS FOLLOWS: SANITARY-GREEN, WATER-BLUE, AND STORM-RED.

14. IT SHALL BE THE RESPONSIBILITY OF THE UNDERGROUND CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

EARTHWORK

1. ALL EARTHWORK OPERATIONS SHALL BE IN ACCORDANCE WITH SECTION 200 OF THE I.D.O.T. SPECIFICATIONS.

2. THE CONTRACTOR SHALL PROTECT ALL PROPERTY PINS AND SURVEY MONUMENTS AND SHALL RESTORE ANY WHICH ARE DISTURBED BY HIS OPERATIONS AT NO ADDITIONAL COST TO THE CONTRACT.

3. IT IS THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE ALL MATERIAL QUANTITIES AND APPRISE HIMSELF OF ALL SITE CONDITIONS. THE CONTRACT PRICE SUBMITTED BY THE CONTRACTOR SHALL BE CONSIDERED AS LUMP SUM FOR THE COMPLETE PROJECT. NO CLAIMS FOR EXTRA WORK WILL BE RECOGNIZED UNLESS ORDERED IN WRITING BY THE OWNER.

4. PRIOR TO ONSET OF MASS GRADING OPERATIONS THE EARTHWORK CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE SOIL EROSION CONTROL SPECIFICATIONS. THE INITIAL ESTABLISHMENT OF EROSION CONTROL PROCEDURES AND THE PLACEMENT OF SILT FENCING, ETC. TO PROTECT ADJACENT PROPERTY SHALL OCCUR BEFORE MASS GRADING BEGINS, AND IN ACCORDANCE WITH THE SOIL EROSION CONTROL CONSTRUCTION SCHEDULE.

5. THE GRADING OPERATIONS ARE TO BE CLOSELY SUPERVISED AND INSPECTED, PARTICULARLY DURING THE REMOVAL OF UNSUITABLE MATERIAL AND THE CONSTRUCTION OF EMBANKMENTS OR BUILDING PADS, BY THE SOILS ENGINEER OR HIS REPRESENTATIVE. ALL TESTING, INSPECTION AND SUPERVISION OF SOIL QUALITY, UNSUITABLE REMOVAL AND ITS REPLACEMENT AND OTHER SOILS RELATED OPERATIONS SHALL BE ENTIRELY THE RESPONSIBILITY OF THE SOILS ENGINEER.

6. THE GRADING AND CONSTRUCTION OF THE SITE IMPROVEMENTS SHALL NOT CAUSE PONDING OF STORM WATER. ALL AREAS ADJACENT TO THESE IMPROVEMENTS SHALL BE GRADED TO ALLOW POSITIVE DRAINAGE.

7. THE PROPOSED GRADING ELEVATIONS SHOWN ON THE PLANS ARE FINISH GRADE, A MINIMUM OF SIX INCHES (6") OF TOPSOIL IS TO BE PLACED BEFORE FINISH GRADE ELEVATIONS ARE ACHIEVED.

8. THE SELECTED STRUCTURAL FILL MATERIAL SHALL BE PLACED IN LEVEL UNIFORM LAYERS SO THAT THE COMPACTED THICKNESS IS APPROXIMATELY SIX INCHES (6"). IF COMPACTION EQUIPMENT DEMONSTRATES THE ABILITY TO COMPACT A GREATER THICKNESS, THEN A GREATER THICKNESS MAY BE SPECIFIED. EACH LAYER SHALL BE THOROUGHLY MIXED DURING SPREADING TO INSURE UNIFORMITY.

9. EMBANKMENT MATERIAL WITHIN ROADWAY, PARKING LOT, AND OTHER STRUCTURAL CLAY FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE PERCENT (95%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-1557 (MODIFIED PROCTOR METHOD), OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOILS ENGINEER. EMBANKMENT MATERIAL FOR BUILDING PADS SHALL BE COMPACTED TO A MINIMUM OF NINETY-FIVE (95%) PERCENT MAXIMUM DENSITY IN ACCORDANCE WITH ASTM DESIGNATION D-1557 (MODIFIED PROCTOR METHOD) OR TO SUCH OTHER DENSITY AS MAY BE DETERMINED APPROPRIATE BY THE SOIL ENGINEER.

10. EMBANKMENT MATERIAL (RANDOM FILL) WITHIN NON-STRUCTURAL FILL AREAS SHALL BE COMPACTED TO A MINIMUM OF NINETY PERCENT (90%) OF MAXIMUM DENSITY IN ACCORDANCE WITH ASTM SPECIFICATION D-157 (MODIFIED PROCTOR METHOD).

11. THE SUB GRADE FOR PROPOSED STREET AND PAVEMENT AREAS SHALL BE PROOF-ROLLED BY THE CONTRACTOR AND ANY UNSTABLE AREAS ENCOUNTERED SHALL BE REMOVED AND REPLACED AS DIRECTED BY THE SOILS ENGINEER.

12. SOIL BORING REPORTS, IF AVAILABLE, ARE SOLELY FOR THE INFORMATION AND GUIDANCE OF THE CONTRACTORS. THE OWNER AND ENGINEER MAKE NO REPRESENTATION OR WARRANTY REGARDING THE INFORMATION CONTAINED IN THE BORING LOGS. THE CONTRACTOR SHALL MAKE HIS OWN INVESTIGATIONS AND SHALL PLAN HIS WORK ACCORDINGLY. ARRANGEMENTS TO ENTER THE PROPERTY DURING THE BIDDING PHASE MAY BE MADE UPON REQUEST OF THE OWNER. THERE WILL BE NO ADDITIONAL COMPENSATION FOR EXPENSES INCURRED BY THE CONTRACTOR RESULTING FROM ADVERSE SOIL OR GROUND WATER CONDITIONS.

13. IT SHALL BE THE RESPONSIBILITY OF THE EXCAVATION CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS WHICH RESULT FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

PAVING & WALKS

1. WORK UNDER THIS SECTION SHALL INCLUDE FINAL SUBGRADE SHAPING AND PREPARATION; FORMING, JOINTING, PLACEMENT OF ROADWAY AND PAVEMENT BASE COURSE MATERIALS AND SUBSEQUENT BINDER AND/OR SURFACE COURSES; PLACEMENT, FINISHING AND CURING OF CONCRETE; FINAL CLEAN-UP; AND ALL RELATED WORK.

2. ALL PAVING AND SIDEWALK WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS (I.D.O.T.) AND PER LOCAL REGULATIONS.

3. SUBGRADE FOR PROPOSED PAVEMENT SHALL BE FINISHED BY THE EXCAVATION CONTRACTOR TO WITHIN 0.1 FOOT, PLUS OR MINUS, OF THE PLAN ELEVATION. THE PAVING CONTRACTOR SHALL SATISFY HIMSELF THAT THE SUBGRADE HAS BEEN PROPERLY PREPARED AND THAT THE FINISH TOP SUBGRADE ELEVATION HAS BEEN GRADED WITHIN TOLERANCES ALLOWED IN THESE SPECIFICATIONS. UNLESS THE PAVING CONTRACTOR ADVISES THE OWNER AND ENGINEER IN WRITING PRIOR TO FINE GRADING FOR BASE COURSE CONSTRUCTION, IT IS UNDERSTOOD THAT HE HAS APPROVED AND ACCEPTS THE RESPONSIBILITY FOR THE SUBGRADE. PRIOR TO PLACEMENT OF PAVEMENT BASE MATERIALS, THE PAVING CONTRACTOR SHALL FINE GRADE THE SUBGRADE SO AS TO INSURE THE PROPER THICKNESS OF PAVEMENT COURSES. NO CLAIMS FOR EXCESS BASE MATERIALS DUE TO IMPROPER SUBGRADE PREPARATION WILL BE HONORED.

4. THE PROPOSED PAVEMENT SHALL CONSIST OF THE SUB-BASE COURSE, BITUMINOUS AGGREGATE BASE COURSE, BITUMINOUS BINDER COURSE, AND BITUMINOUS SURFACE COURSE, OF THE THICKNESS AND MATERIALS AS SPECIFIED ON THE CONSTRUCTION PLANS. PRIME COAT SHALL BE APPLIED TO THE SUB-BASE COURSE AT A RATE OF 0.5 GALLONS PER SQUARE YARD. UNLESS SHOWN AS A BID ITEM, PRIME COAT SHALL BE CONSIDERED AS INCIDENTAL TO THE COST OF THE CONTRACT. ALL PAVEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION," CURRENT EDITION.

5. AFTER THE INSTALLATION OF THE BASE COURSE, ALL TRAFFIC SHALL BE KEPT OFF THE BASE UNTIL THE BINDER COURSE IS LAID. AFTER INSTALLATION OF THE BINDER COURSE AND UPON INSPECTION AND APPROVAL BY GOVERNING AUTHORITY, THE PAVEMENT SHALL BE CLEANED, PRIMED AND THE SURFACE COURSE LAID. ALL DAMAGED AREAS IN THE BINDER, BASE OR CURB AND GUTTER SHALL BE REPAIRED TO THE SATISFACTION OF THE OWNER PRIOR TO LAYING THE SURFACE COURSE. THE PAVING CONTRACTOR SHALL PROVIDE WHATEVER EQUIPMENT AND MANPOWER IS NECESSARY, INCLUDING THE USE OF POWER BROOMS TO PREPARE THE PAVEMENT FOR APPLICATION OF THE SURFACE COURSE. EQUIPMENT AND MANPOWER TO CLEAN PAVEMENT SHALL BE CONSIDERED INCIDENTAL TO THE COST OF THE CONTRACT. PRIME COAT ON THE BINDER COURSE SHALL BE CONSIDERED AS INCIDENTAL TO THE COST OF THE CONTRACT AND SHALL BE APPLIED TO THE BINDER AT A RATE OF 0.5 GALLONS PER SQUARE YARD.

6. CURING AND PROTECTION OF ALL EXPOSED CONCRETE SURFACES SHALL BE IN ACCORDANCE WITH THE STANDARD SPECIFICATIONS.

7. SIDEWALKS SHALL BE OF THE THICKNESS AND DIMENSIONS AS SHOWN IN THE CONSTRUCTION PLANS. ALL SIDEWALK CONCRETE SHALL DEVELOP A MINIMUM OF 3,500-PSI COMPRESSIVE STRENGTH AT 28 DAYS. CONTRACTION JOINTS SHALL BE SET AT 5' CENTERS, AND 3/4" PRE-MOLDED FIBER EXPANSION JOINTS SET AT 50' CENTERS AND WHERE THE SIDEWALK MEETS THE CURB, A BUILDING, OR ANOTHER SIDEWALK, OR AT THE END OF EACH POUR. ALL SIDEWALKS CONSTRUCTED OVER UTILITY TRENCHES SHALL BE REINFORCED WITH THREE NO. 5 REINFORCING BARS (10' MINIMUM LENGTH). ALL SIDEWALKS CROSSING DRIVEWAYS SHALL BE A MINIMUM OF 6" THICK AND REINFORCED WITH 6X6 gw WELDED WIRE MESH. ALL SIDEWALKS SHALL BE BROOM FINISHED. IF A MANHOLE FRAME FALLS WITHIN THE LIMITS OF A SIDEWALK, A BOX-OUT SECTION SHALL BE PLACED AROUND THE MANHOLE FRAME WITH A 3/4" EXPANSION JOINT.

8. BACKFILLING ALONG PAVEMENT SHALL BE THE RESPONSIBILITY OF THE EARTHWORK CONTRACTOR.

9. IT SHALL BE THE RESPONSIBILITY OF THE PAVING CONTRACTOR TO REMOVE FROM THE SITE ANY AND ALL MATERIALS AND DEBRIS, WHICH RESULTS FROM HIS CONSTRUCTION OPERATIONS AT NO ADDITIONAL EXPENSE TO THE OWNER.

10. TESTING OF THE SUB-BASE, BASE COURSE, BINDER COURSE, SURFACE COURSE AND CONCRETE WORK SHALL BE REQUIRED IN ACCORDANCE WITH THE "I.D.O.T. STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE CONSTRUCTION" CURRENT EDITION, AND IN ACCORDANCE WITH THE SPECIFIC REQUIRMENTS OF THE GOVERNING MUNICIPALITY. A QUALIFIED TESTING FIRM SHALL BE EMPLOYED BY THE OWNER TO PERFORM THE REQUIRED TESTS.

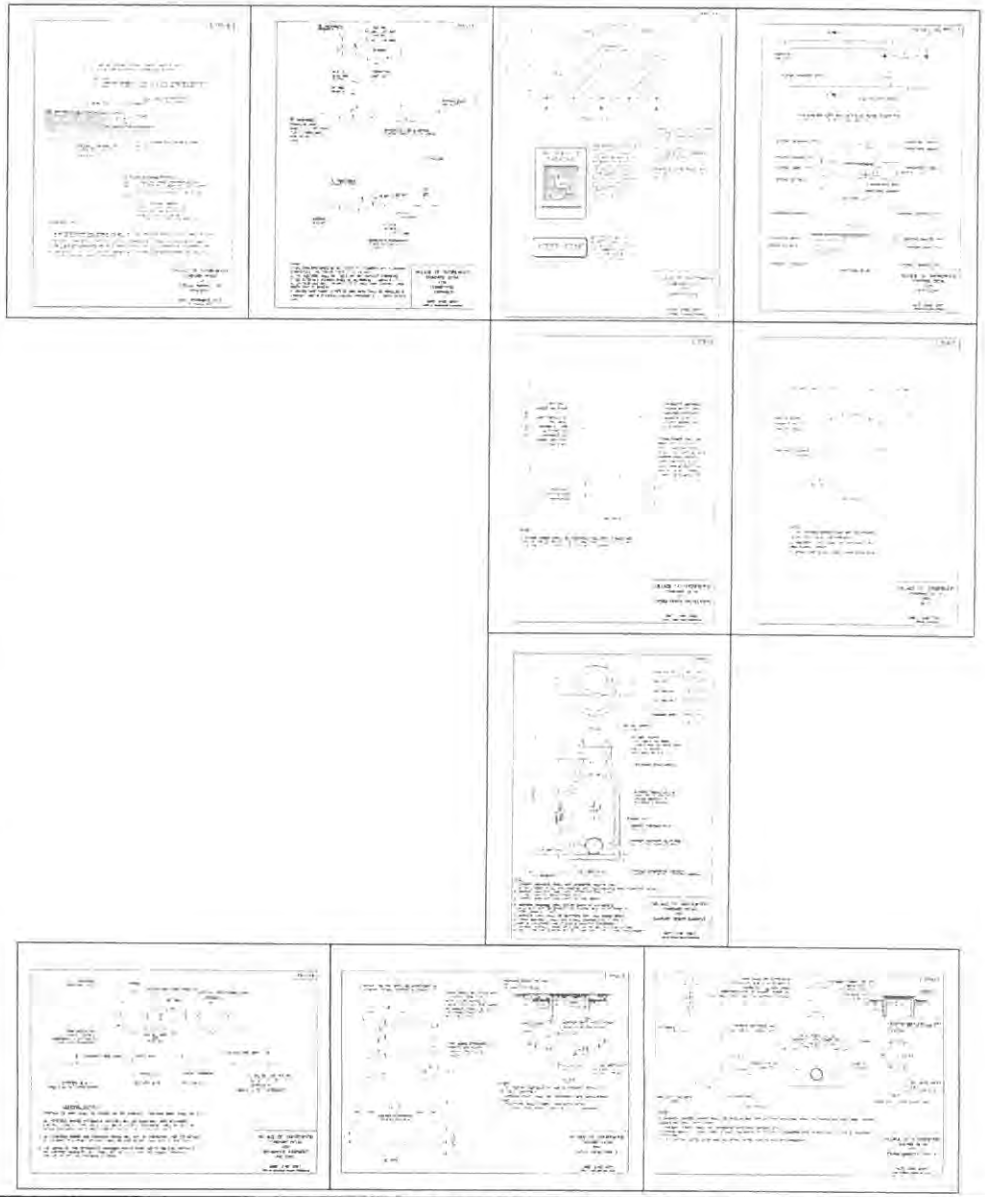
11. PAINTED PAVEMENT MARKINGS AND SYMBOLS OF THE TYPE AND COLOR AS NOTED ON THE CONSTRUCTION PLANS, SHALL BE INSTALLED IN ACCORDANCE WITH SECTION 1-502 OF SAME SPECIFICATIONS.

12. PAINTED PAVEMENT MARKINGS AND SYMBOLS SHALL BE INSTALLED ONLY WHEN THE AMBIENT AIR TEMPERATURE IS 40 DEGREES FAHRENHEIT AND THE FORECAST CALL FOR RISING TEMPERATURES.

13. ALL EXISTING CURB AND PAVEMENT SHALL BE PROTECT DURING CONSTRUCTION. ANY DAMAGE TO THE CURB OR PAVEMENT WILL BE REPAIRED OR REPLACED AT NO ADDITIONAL COST TO THE OWNER.

14. ANY SIDEWALK THAT IS DAMAGED OR NOT ADA COMPLIANT, INCLUDING SIDEWALK RAMPS, MUST BE REPLACED PRIOR TO FINAL INSPECTION APPROVAL.

ALL DISTURBED AREAS SHALL BE SEEDED WITH IDOT CLASS 1 SEEDMIX



TEBRUGGE ENGINEERING
405 E. CHURCH STREET - SUITE A - SANDWICH, IL 60548
PHONE (815) 786-2100 - TEBRUGGEENGINEERING.COM

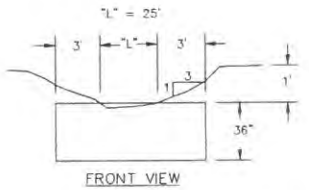
REVISIONS	NO.	DATE	NOTES
	1	7-21-20	MRS REVIEW LETTER 8-21-20
	2	8-24-20	VILLAGE OF HOMER REVIEW LETTER 9-24-20

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

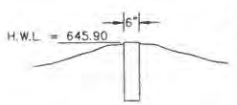
FOUR SEASONS STORAGE FACILITY
GENERAL NOTES & DETAILS

PROJECT NO.	19-447-02
SCALE:	NTS
DATE:	JAN. 16, 2020
SHEET NO.	7
OF 8 SHEETS	

337



FRONT VIEW



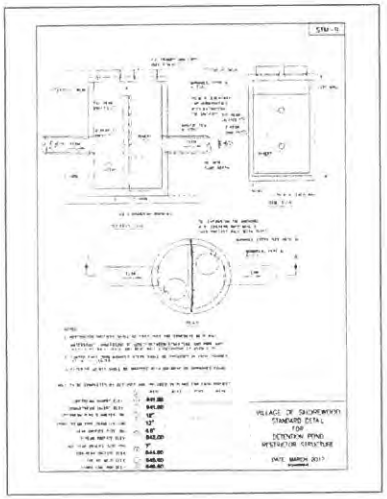
NOTE:
"L" IS SIZED TO PASS 100 YR EVENT WITH ONE FOOT DEPTH OF WATER

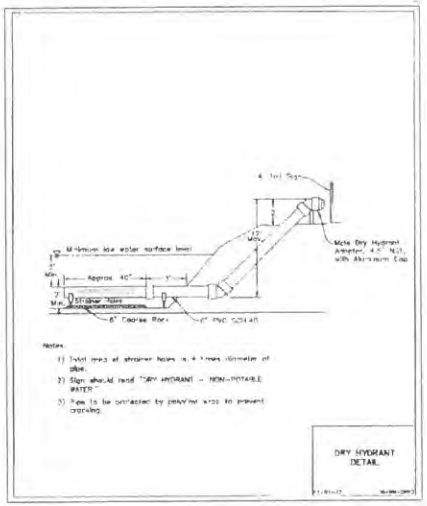
SIDE VIEW

CONCRETE OVERFLOW DETAIL

N.T.S.

338





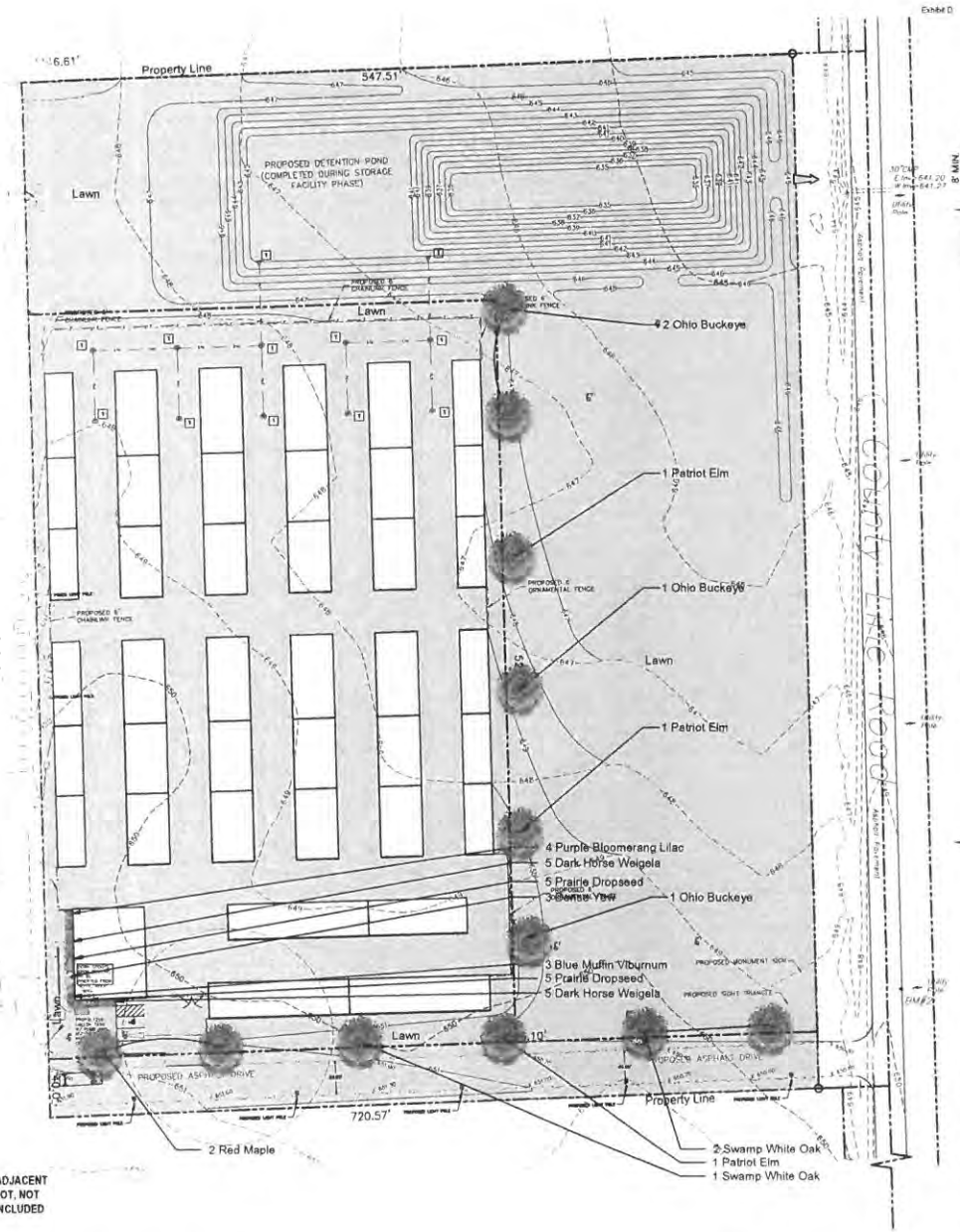
TEBRUGGE ENGINEERING
410 E. 75th IRON STREET - SUITE A - SANDWICH, IL 60548
PHONE (815) 786-0100 TEBRUGGEENGINEERING.COM

REVISIONS	NO.	DATE	NOTES
	1	5/21/20	VILLAGE REVIEW LETTER 5/21/20
	2	6/24/20	ENGINEERING REVIEW LETTER 6/18/20

PREPARED FOR:
JAMES & DENISE MAFFEO
1223 BUELL AVE, JOLIET, IL

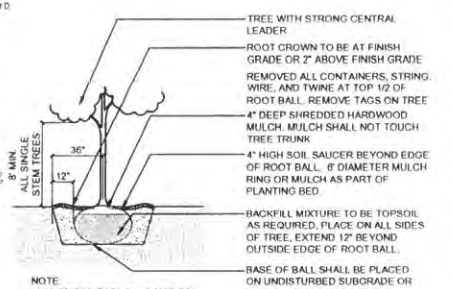
FOUR SEASONS STORAGE FACILITY
GENERAL NOTES & DETAILS II

PROJECT NO:	19.447.02
SCALE:	1" = 40'
DATE:	JAN 16, 2020
SHEET NO:	8
OF 8 SHEETS	



Storage Unit Facility

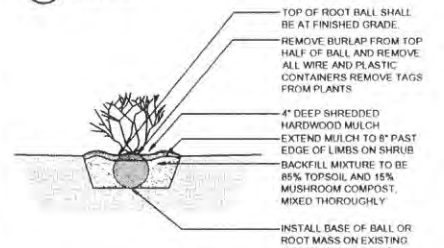
Exhibit D



NOTE
PULVERIZED TOPSOIL IS NOT TO BE USED FOR TREE BACKFILL

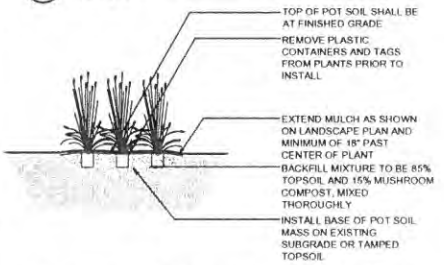
1 Tree Installation

SCALE: N.T.S. d-plant-tree_12



2 Shrub Installation

SCALE: N.T.S. d-plant-shrub_12



3 Perennial & Ornamental Grass Installation

SCALE: 1" = 1'-0" d-perennials

PLANT LIST

Shade Trees - Balled and Burlap

Qty.	Size	Botanical Name	Common Name
2	3" cal	*Acer rubrum*	Red Maple
4	3" cal	*Aesculus glabra*	Ohio Buckeye
3	3" cal	*Quercus bicolor*	Swamp White Oak
3	3" cal	*Ulmus 'Patriot'*	Patriot Elm
12	Total		

Evergreen Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	*Taxus x media 'Densiformis'*	Densa Yew
3	Total		

Deciduous Shrubs - Balled and Burlap or Container

Qty.	Size	Botanical Name	Common Name
3	24" Ht. x 24" Spr.	*Viburnum dentatum 'Christom'*	Blue Muffin Viburnum
4	36" Ht. x 24" Spr.	*Syringa x 'Penda'*	Purple Bloomerang Lilac
10	18" Ht. x 24" Spr.	*Weigela x 'Dark Horse'*	Dark Horse Weigela
17	Total		

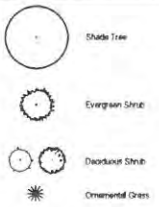
Perennials, Ornamental Grasses, and Groundcovers

Qty.	Size	Botanical Name	Common Name
10	#1 cont	*Sporobolus heterolepis*	Prairie Dropseed
10	Total		

GENERAL NOTES: LANDSCAPE

1. Notes indicated on grading plans shall pertain to landscape plans. Final grade of planting beds shall be as per grading plan.
2. The landscape contractor shall be responsible for making themselves familiar with all underground utilities and structures.
3. All existing plant material and trees shall be saved and protected unless otherwise noted. Contractor to protect new and existing trees and landscaping from damage and shall restore all areas disturbed as a result of construction.
4. Plant material shall be supplied from Northern Illinois nursery stock, shall be dug the planting season it is installed, and shall conform to the American Association of Nurserymen's standards.
5. Plant material shall be size and type specified. Substitution of plant material shall be on a case by case basis and approved in writing by the Owner's Representative. In no case shall plant material be smaller than indicated in the plans.
6. Do not willfully proceed with plantings as designed when it is obvious that obstructions and/or grade differences exist that may not have been known during the design process. Such conditions shall be immediately brought to the attention of the Owner's Representative.
7. All plant material shall be inspected and approved by the Owner's Representative prior to the installation of any and all plant material.
8. Plant locations shall be flagged in field with Owner's Rep. Final location of all plant material shall be subject to approval of the Owner's Representative prior to digging any holes. The landscape contractor is responsible for providing Owner's Representative with 48 hour minimum advance notice prior to planting.
9. Plants shall be watered on the day they are planted and maintained with watering until final acceptance of the project.
10. Apply a pre-emergent as per manufacturer's specification prior to installing mulch.
11. Beds and tree rings (6' diameter) shall have 3" of hardwood shredded mulch applied and a 4" deep spade edge at lawn. Trees that are not located in beds shall have a tree ring.
12. Landscape plant material shall be guaranteed for 12 months from final acceptance. Any plant 10 dead or more shall be replaced under the guarantee.
13. Contractor to prepare landscape beds by roto-tilling 2" of Mushroom Compost into new beds. Do not add compost nor roto-till within drip line of existing trees.
14. Lawn Seeding shall be under favorable weather conditions, and shall follow dates in specification.
15. Turf mixes shall be installed and lawn established at all disturbed areas.
16. Do not overseed into mulch beds and paving.
17. Contractor shall restore all areas disturbed as a result of construction.

LEGEND



Go Pro Ball, LLC
6821 Sahara Drive
Plainfield, IL

PROJECT

Go Pro Ball Facility

NW Quadrant of Rt 52 & County Line Rd
Shorewood, Illinois

uplandDesign ltd
Park Planning and Landscape Architecture
24042 Lockport St, Plainfield, Illinois 60544
815-254-0091 www.uplanddesign.com

SHEET TITLE

Landscape Plan

SHEET NUMBER **L1.0**

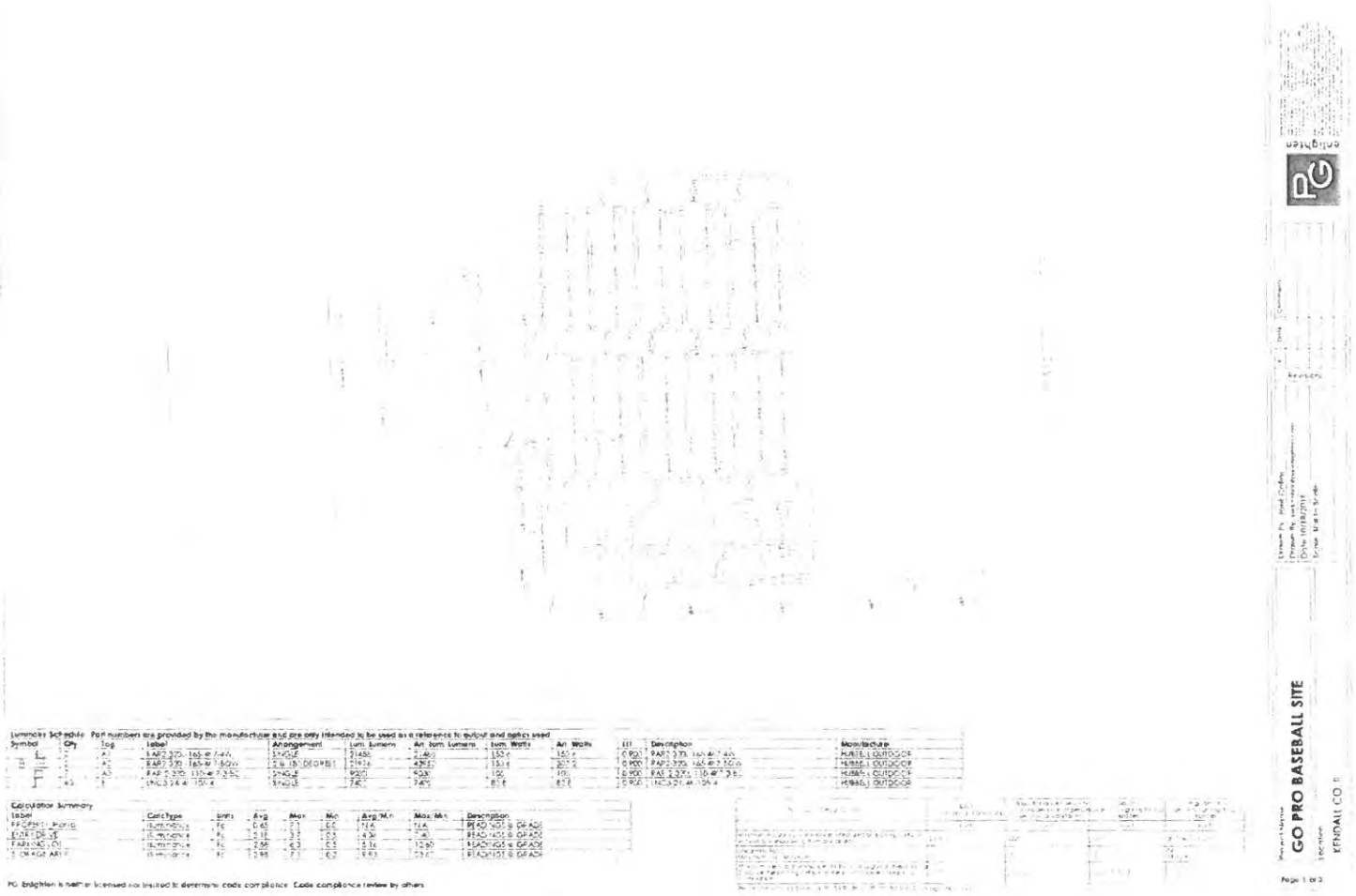
DRAW / REVISION

TDAD	Permit Submittal	19FEB2020
DWMB	Revision 1/Rendering	09MAR2020

Project Number 913

Copyright 2020 Upland Design Ltd.

Exhibit E



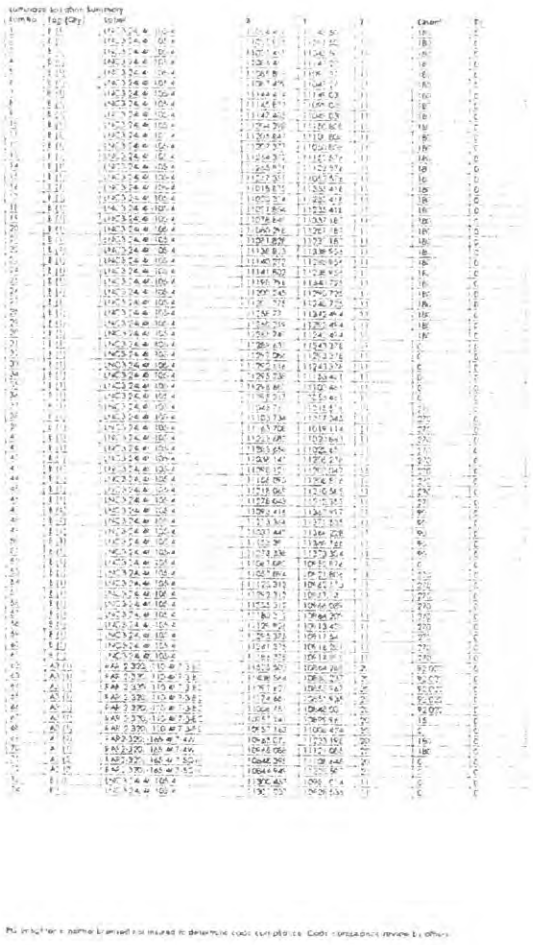
PG Enlighten is neither licensed nor insured to determine code compliance. Code compliance review by others

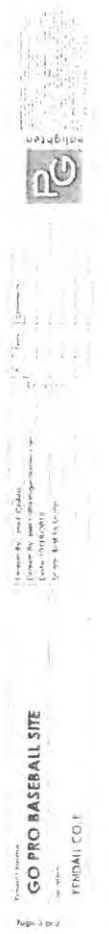
GO PRO BASEBALL SITE

KENDALL CO. IL

Page 2 of 3

Exhibit E





202100009506

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL

RECORDED: 4/14/2021 08:20 AM
MISC: 57.00 RHSPS FEE: 10.00
PAGES: 4

State of Illinois
County of Kendall

Zoning Petition
#21-15

MINOR AMENDMENT TO EXISTING SPECIAL USE

EXTENDING THE DEADLING FOR INSTALLING FENCING AND LANDSCAPING ON PROPERTY LOCATED APPROXIMATELY 0.15 MILES NORTH OF THE INTERSECTION OF ROUTE 52 AND COUNTYLINE ROAD ON THE WEST SIDE OF COUNTYLINE ROAD (PIN: 09-13-200-008) IN SEWARD TOWNSHIP

Mailed to and Prepared by:
Matthew Asselmeier
111 West Fox Street Rm. 203
Yorkville, IL 60560

SEAL

OFFICIAL SEAL
PAMELA A HERBER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:02/01/23

Subscribed and sworn to before me
This 13th day of April, 2021

[redacted]

Matthew Asselmeier
Kendall County Senior Planner

[redacted]

Notary Public

4

State of Illinois
County of Kendall

Zoning Petition
#21-15

MINOR AMENDMENT TO EXISTING SPECIAL USE

EXTENDING THE DEADLING FOR INSTALLING FENCING AND LANDSCAPING ON PROPERTY LOCATED APPROXIMATELY 0.15 MILES NORTH OF THE INTERSECTION OF ROUTE 52 AND COUNTYLINE ROAD ON THE WEST SIDE OF COUNTYLINE ROAD (PIN: 09-13-200-008) IN SEWARD TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Planning, Building and Zoning Committee of the Kendall County Board to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the B-3 Highway Business District and consists of approximately 4.01 acres located approximately 0.15 miles north of the intersection of Route 52 and County Line Road on the west side of County Line Road (PIN: 09-13-200-008), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, on September 15, 2020, the Kendall County Board approved Ordinance 2020-14 which granted a special use permit for an indoor/outdoor storage business at the subject property; and

WHEREAS, Condition Number 4.B of Ordinance 2020-14 stated that the fencing and landscaping had to be installed within 240 days of the approval of the special use permit; and

WHEREAS, the subject property is currently owned by Four Seasons Storage, LLC as represented by James and Denise Maffeo and hereinafter shall be referred to as "Petitioner"; and

WHEREAS, on or about March 22, 2021, Petitioner's representative filed a petition for a minor amendment to Condition Number 4.B of Ordinance 2020-14 to extend the deadline for installing the fencing and landscaping to October 31, 2021; and

NOW, THEREFORE, BE IT ORDAINED, BY THE PLANNING, BUILDING AND ZONING COMMITTEE OF THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Planning, Building and Zoning Committee of the Kendall County Board finds that the requested minor amendment will result in equal or better performance than the original condition imposed and the property will still be in substantial compliance with the previously approved Ordinance 2020-14.

2. The Planning, Building and Zoning Committee of the Kendall County Board hereby grants approval of Petitioner's petition for a minor amendment to Condition Number 4.B of Ordinance 2020-14 by allowing the deadline for installing the fencing and landscaping outlined in Ordinance 2020-14 to be extending until October 31, 2021; this deadline may be extended beyond October 31, 2021 if requested by the property and if the Planning, Building and Zoning Committee deems such an extension necessary.

3. This minor amendment shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by a majority vote of the Planning, Building and Zoning Committee of the Kendall County Board and is effective this 12th day of April, 2021.

State of Illinois
County of Kendall

Zoning Petition
#21-15

Attest:

Kendall County Zoning Administrator
Matthew H. Asselmeier

Kendall County PBZ Committee Chairman
Scott Gengler

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

State of Illinois
County of Kendall

Zoning Petition
#21-34

MINOR AMENDMENT TO EXISTING SPECIAL USE

EXTENDING THE DEADLING FOR INSTALLING FENCING AND LANDSCAPING ON PROPERTY LOCATED APPROXIMATELY 0.15 MILES NORTH OF THE INTERSECTION OF ROUTE 52 AND COUNTYLINE ROAD ON THE WEST SIDE OF COUNTYLINE ROAD (PIN: 09-13-200-010) IN SEWARD TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Planning, Building and Zoning Committee of the Kendall County Board to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the B-3 Highway Business District and consists of approximately 4.01 acres located approximately 0.15 miles north of the intersection of Route 52 and County Line Road on the west side of County Line Road (PIN: 09-13-200-010), in Seward Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, on September 15, 2020, the Kendall County Board approved Ordinance 2020-14 which granted a special use permit for an indoor/outdoor storage business at the subject property; and

WHEREAS, Condition Number 4.B of Ordinance 2020-14 stated that the fencing and landscaping had to be installed within 240 days of the approval of the special use permit; and

WHEREAS, on April 12, 2021, the Kendall County Planning, Building and Zoning Committee granted a minor amendment to Ordinance 2020-14 extending the deadline for installing the fencing and landscaping to October 31, 2021, and allowing for an additional extension if the additional extension was approved by the Kendall County Planning, Building and Zoning Committee; and

WHEREAS, the subject property is currently owned by Four Seasons Storage, LLC as represented by James and Denise Maffeo and hereinafter shall be referred to as "Petitioner"; and

WHEREAS, on or about September 1, 2021, Petitioner's representative filed a petition for a minor amendment to Condition Number 4.B of Ordinance 2020-14 as allowed by the minor amendment to Ordinance 2020-14 granted by the Planning, Building and Zoning Committee dated April 12, 2021, to extend the deadline for installing the fencing and landscaping to June 1, 2022; and

NOW, THEREFORE, BE IT ORDAINED, BY THE PLANNING, BUILDING AND ZONING COMMITTEE OF THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Planning, Building and Zoning Committee of the Kendall County Board finds that the requested minor amendment will result in equal or better performance than the original condition imposed and the property will still be in substantial compliance with the previously approved Ordinance 2020-14.

2. The Planning, Building and Zoning Committee of the Kendall County Board hereby grants approval of Petitioner's petition for a minor amendment to Condition Number 4.B of Ordinance 2020-14 by allowing the deadline for installing the fencing and landscaping outlined in Ordinance 2020-14 and minor amendment to Ordinance 2020-14 dated April 12, 2021, to be extended until June 1, 2022; this deadline may be extended beyond June 1, 2022, if requested by the property owner and if the Planning, Building and Zoning Committee deems such an extension necessary.

3. This minor amendment shall be treated as a covenant running with the land and is binding on the

successors, heirs, and assigns as to the same special use conducted on the property.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by a majority vote of the Planning, Building and Zoning Committee of the Kendall County Board and is effective this 13th day of September, 2021.

Attest:

Kendall County Zoning Administrator	Kendall County PBZ Committee Chairman
Matthew H. Asselmeier	Scott Gengler

LEGAL DESCRIPTION OF TRACT 2 (B-3 Special Use Parcel):

That Part of the Northeast Quarter of Section 13, Township 35 North, Range 8 East of the Third Principal Meridian described as follows: Commencing at the Northeast Corner of said Northeast Quarter; thence Southerly, along the East Line of said Northeast Quarter, 1142.05 feet; thence Westerly, parallel with the North Line of said Northeast Quarter, 599.06 feet; thence Southerly, parallel with the West Line of said Northeast Quarter, 165.29 feet for the point of beginning; thence Easterly, parallel with said North Line, 332.25 feet; thence Southerly, parallel with said West Line, 525.07 feet to a line which is 1834.37 feet Southerly of (as measured along the East Line of said Northeast Quarter) and parallel with the North Line of said Northeast Quarter; thence Westerly, parallel with said North Line, 332.25 feet to a line drawn Southerly from the point of beginning, parallel with said West Line; thence Northerly, parallel with said West Line, 527.0 feet to the point of beginning in Seward Township, Kendall County, Illinois.

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building & Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: September 7, 2021
Re: Petition 21-35 Request for Minor Amendments to a Special Use Permit for a Banquet Center at 1998 Johnson Road

On April 21, 2015, the Kendall County Board approved Ordinance 2015-06, granting a special use permit for a banquet facility at 1998 Johnson Road. Condition 8 of the Ordinance stated that events could run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th. A copy of Ordinance 2015-06 is attached to this memo.

On April 8, 2019, the Planning, Building and Zoning Committee granted minor amendments to the special use permit allowing the porta-johns to be on the premises the entire season and allowing the tent to be erected from April 15th to November 15th. A copy of this minor amendment is attached to this memo.

On November 9, 2020, the Planning, Building and Zoning Committee granted a minor amendment to the special use permit to allow events to be held starting on April 8th and ending November 30th in 2021 only. The tent could be erected during the same time period. The amendment also allowed the Planning Building and Zoning Committee to renew this option, if requested by the property owner. A copy of this minor amendment is attached.

On September 2, 2021, the Petitioner submitted a formal request to renew the minor amendment granted in November 2020 for the 2022 operating season. A copy of this request is attached.

Petition information was sent to the Kendall County Health Department, Sheriff's Department, Na-Au-Say Township, Village of Plainfield, and Plainfield Fire Protection District on September 1, 2021. As of the date of this memo, the Sheriff's Department, Village of Plainfield, and Plainfield Fire Protection District expressed no concerns regarding this proposal.

If the Planning, Building and Zoning Committee wishes to approve the request, a draft minor amendment is attached.

If the Planning, Building and Zoning Committee wishes to deny the minor amendment and if the Petitioner desires the amendments, the Petitioner would be required to go through the major amendment to a special use process as outlined in the Kendall County Zoning Ordinance.

If you have any questions, please let me know.

Thanks,

MHA

Encs.: September 2, 2021 Renewal Request
Ordinance 2015-06
2020 Minor Amendment
2019 Minor Amendment
Draft Minor Amendment

September 2, 2021

To: Kendall County Zoning Board:

Ladies & Gentlemen:

On behalf of Northfork Farm Weddings, we would like to take this opportunity to request a renewal of the "Minor Amendment" to our Special Use Permit at 1998 Johnson Road, Oswego for the 2022 season. We regularly begin our wedding season the first week of May, and continue through the first week of November; however, just like last season, we're planning on hosting the Newark High School Prom and the Joliet West High School 50th Class Reunion the last weekend in April.

It has been a pleasure to be a part of the Kendall County Community for the past 60 years, and we look forward to continuing our valued relationship with all who make this county great! You are always welcome to stop by our farm. If you have any questions or concerns, please feel free to contact us.

Respectfully,

[redacted]

Peter & Laurie Pasteris

ORDINANCE NUMBER 2015 - 06

GRANTING AN A-1 SPECIAL USE AT
1998 JOHNSON ROAD, OSWEGO
TO OPERATE A BANQUET HALL FOR SPECIAL EVENTS

WHEREAS, Peter & Laurie Pasteris have filed a petition for a Special Use within the A-1 Agricultural Zoning District for a 12.5 acre property located on the south side of Johnson Road, 1 mile east of Schlapp Road, 1.45 miles west of Ridge Road, commonly known as 1998 Johnson Road. (PIN #'s 06-11-100-004 & 06-11-100-008), in NaAuSay Township; and

WHEREAS, said property is currently zoned A-1 Agricultural; and

WHEREAS, said petition is to obtain an A-1 Special Use Permit to operate a banquet hall on their property for special events; and

WHEREAS, said property is legally described as:

THE WEST 400.0 FEET OF THE NORTH 435.60 FEET OF A STRIP OF LAND 54 RODS (891.1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES.

THE WEST 561.0 FEET OF THE NORTH 971.0 FEET (EXCEPT THE WEST 400.0 FEET OF THE NORTH 435.60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891.0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8.5052 ACRES.

WHEREAS, all procedures required by the Kendall County Zoning Ordinance were followed including notice for public hearing, preparation of the findings of fact in accordance with Section 13.08.J of the Zoning Ordinance, and recommendation for approval by the Special Use Hearing Officer on April 6, 2015; and

WHEREAS, the findings of fact were approved as follows:

That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare. **The 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. **The petitioner is not proposing to change the site but have a temporary tent up during events therefore keeping with the residential and agricultural character of the neighborhood.**

That adequate utilities, access roads and points of ingress and egress, drainage, and/or other necessary facilities have been or are being provided. ***The special use will not be adding any new utilities at this time and no new roadways or drainage to the property. They will be adding a septic in the future, park on the hayfield and will use the current access point onto Johnson Road.***

That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendation of the Hearing Officer. **The only regulation they do not meet is that it must be located on a major or arterial roadway but they have received permission from the township road commissioner. All other regulations will conform.**

That the special use is consistent with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. **This special use will not be every weekend so most of the time it will just be residential uses and not events.**

WHEREAS, the Kendall County Board has considered the findings and recommendation of the Hearing Officer and finds that said petition is in conformance with the provisions and intent of the Kendall County Zoning Ordinance; and

WHEREAS, this special use shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns of the property owner as to the same special use conducted on the property; and

NOW, THEREFORE, BE IT ORDAINED, that the Kendall County Board hereby grants approval of a special use zoning permit to operate a banquet hall on their property for special events in accordance to the submitted Description included as "Exhibit A" and the submitted Site Plan included as "Exhibit B" attached hereto and incorporated herein subject to the following conditions:

1. The principal use of the property is for residential purposes and/or farming.
2. A maximum of 200 persons at any one time (with a 10% tolerance).
3. All events must be catered unless approved by the Health Department.
4. Compliance with applicable building codes and Americans with Disabilities Act accessibility provisions and securing of the required permits associated with any proposed remodeling, alteration, construction or expansion of existing and proposed structures on the premises.
5. Retail sales are permitted as long as the retail sales will be ancillary to the main operation.
6. The noise regulations are as follows:

Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land

which exceeds sixty 60 dBA when measured at any point within such receiving residential land, provided; however, that point of measurement shall be on the property line of the complainant.

Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty five (55) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the property line of the complainant.

EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.

7. Porta Johns (and other temporary bathroom facilities) need to be removed within 2 business days after each event.
8. Events can run from May 1st through November 15th and the temporary tent can be erect from May 1st through November 15th.
9. Entities having jurisdiction may inspect the property annually including but not limited to the Planning, Building Zoning Department, Health Department, sheriff's office and fire protection district in order to ensure that conditions of the special use permit are still being met and that the permit is still applicable for the operation.

Failure to comply with the terms of this ordinance may be cited as a basis for amending or revoking this special use permit.

IN WITNESS OF, this ordinance has been enacted on April 21, 2015.

Attest:

Debbie Gillette
Kendall County Clerk

John Shaw
Kendall County Board Chairman

201900004315

DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 4/11/2019 09:46 AM
AMDL: 43.00 RHSPS FEE: 10.00

PAGES: 4

State of Illinois
County of Kendall

Zoning Petition
#19-16

MINOR AMENDMENT TO EXISTING SPECIAL USE PERMIT

GRANTING A MINOR AMENDMENT TO THE SPECIAL USE PERMIT AWARDED BY ORDINANCE 2015-06 PERTAINING TO THE PLACEMENT OF PORTA JOHNS AND THE ERECTION OF A TENT AT 1998 JOHNSON ROAD (PINs: 06-11-100-008 AND 06-11-100-004) IN NA-AU-SAY TOWNSHIP

(201500006392)

Mailed to and Prepared by:
Matthew Asselmeier
111 West Fox Street Rm. 203
Yorkville, IL 60560

SEAL

OFFICIAL SEAL
PAMELA A HERBER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES 02/01/23

Subscribed and sworn to before me
This 11th day of April, 2019

[redacted]
Matthew Asselmeier
Kendall County Senior Planner

[redacted]
Notary Public

State of Illinois
County of Kendall

Zoning Petition
#19-16

MINOR AMENDMENT TO EXISTING SPECIAL USE PERMIT

GRANTING A MINOR AMENDMENT TO THE SPECIAL USE PERMIT AWARDED BY ORDINANCE 2015-06 PERTAINING TO THE PLACEMENT OF PORTA JOHNS AND THE ERECTION OF A TENT AT 1998 JOHNSON ROAD (PINs: 06-11-100-008 AND 06-11-100-004) IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 13.08.N of the Kendall County Zoning Ordinance permits the Kendall County Zoning Administrator to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which the subject of this minor amendment to an existing special use permit is located at 1998 Johnson Road and is identified by Parcel Identification Numbers 06-11-100-008 and 06-11-100-004 in Na-Au-Say Township and shall hereinafter be referred to as "the subject property"; and

WHEREAS, the subject property is owned by Peter and Laurie Pasteris, hereinafter be referred to as "Petitioner"; and

WHEREAS, in 2015, the Petitioner submitted a request for a special use permit to operate a banquet hall at the subject property; and

WHEREAS, on April 21, 2015, the Kendall County Board granted the Petitioner's request for a special use permit for a banquet hall at the subject property through Ordinance 2015-06 with conditions; and

WHEREAS, condition number 7 of Ordinance 2015-06 required that Porta Johns (and other temporary bathroom facilities) need to be removed within 2 business days after each event; and

WHEREAS, condition number 8 of Ordinance 2015-06 required that the temporary tent can be erect from May 1st through November 15th; and

WHEREAS, on or about March 12, 2019, the Petitioner's attorney submitted a request for a minor amendment to an existing special use permit by allowing a bathroom trailer to remain on the subject property during the entire banquet season and to allow the erection of the tent on or after April 15th of each year; and

WHEREAS, on April 8, 2019, the Kendall County Planning, Building and Zoning Committee of the Kendall County Board reviewed the application and authorized approval of the requested minor amendment to an existing special use permit; and

NOW, THEREFORE, BE IT ORDAINED, BY THE ZONING ADMINISTRATOR OF KENDALL COUNTY, ILLINOIS, that the Kendall County Zoning Ordinance be amended as follows:

I. Recitals: The recitals set forth above are incorporated as if fully set forth herein.

II. Condition number 7 of Ordinance 2015-06 is amended by allowing Porta Johns (and other temporary bathroom facilities) to remain on the premises for the entire banquet season provided that the temporary bathroom facilities are a bathroom trailer measured at approximately 238 square feet.

III. Condition number 8 of Ordinance 2015-06 is amended by allowing the temporary tent to be erected from April 15th through November 15th.

IV. The Official Zoning Map of Kendall County is hereby amended to reflect this minor amendment to an existing special use permit.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by the Zoning Administrator of Kendall County and is effective this 11th day of April, 2019.

Attest:

Kendall County Zoning Administrator
Matthew H. Asselmeier

THE WEST 400 0 FEET OF THE NORTH 435 60 FEET OF A STRIP OF LAND 54 RODS (891 1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES

THE WEST 561 0 FEET OF THE NORTH 971 0 FEET (EXCEPT THE WEST 400 0 FEET OF THE NORTH 435 60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891 0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8 5052 ACRES

202000023047
DEBBIE GILLETTE
RECORDER - KENDALL COUNTY, IL
RECORDED: 11/12/2020 12:25 PM
MISC: 57.00 RHSPS FEE: 10.00
PAGES: 4

State of Illinois
County of Kendall

Zoning Petition
#20-26

MINOR AMENDMENT TO EXISTING SPECIAL USE PERMIT

GRANTING A MINOR AMENDMENT TO THE SPECIAL USE PERMIT AWARDED BY ORDINANCE 2015-06 BY INCREASING THE NUMBER OF OPERATIONAL DAYS FOR OPERATING A BANQUET HALL AND NUMBER OF DAYS THE TEMPORARY TENT CAN BE ERECTED AT 1998 JOHNSON ROAD (PINs: 06-11-100-004 AND 06-11-100-008) IN NA-AU-SAY TOWNSHIP

Mailed to and Prepared by:
Matthew Asselmeier
111 West Fox Street Rm. 203
Yorkville, IL 60560

SEAL

OFFICIAL SEAL
PAMELA A HERBER
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:02/01/23

Subscribed and sworn to before me
This 12th day of November, 2020

[redacted]

Matthew Asselmeier
Kendall County Senior Planner

[redacted]

Notary Public

4

State of Illinois
County of Kendall

Zoning Petition
#20-26

MINOR AMENDMENT TO EXISTING SPECIAL USE

INCREASING THE NUMBER OF OPERATIONAL DAYS FOR OPERATING A BANQUET HALL AND NUMBER OF DAYS THE TEMPORARY TENT CAN BE ERECTED AT 1998 JOHNSON ROAD (PINs: 06-11-100-004 AND 06-11-100-008) IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Planning, Building and Zoning Committee of the Kendall County Board to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 12.5 acres located at 1998 Johnson Road (PINs: 06-11-100-004 and 06-11-100-008), in Na-Au-Say Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, on April 21, 2015, the Kendall County Board approved Ordinance 2015-06 which granted a special use permit for a banquet hall for special events at the subject property; and

WHEREAS, Condition Number 8 of Ordinance 2015-06 stated that events can run from May 1st through November 15th and the temporary tent can be erected from May 1st through November 15th; and

WHEREAS, on April 8, 2019, the Kendall County Planning, Building and Zoning Committee approved a minor amendment to the special use permit granted by Ordinance 2015-06 allowing porta-johns to remain on the property during the entire season and allowing the temporary tent to be erected between April 15th and November 15th; and

WHEREAS, the subject property is currently owned by the Peter J. Pasteris Jr. Revocable Declaration of Living Trust as represented by Peter and Laurie Pasteris and hereinafter shall be referred to as "Petitioner"; and

WHEREAS, on or about October 20, 2020, Petitioner's representative filed a petition for a minor amendment to Condition Number 8 of Ordinance 2015-06 to allow events to be held between April 8th through November 30th and to allow the tent to be erected between April 8th through November 30th and

NOW, THEREFORE, BE IT ORDAINED, BY THE PLANNING, BUILDING AND ZONING COMMITTEE OF THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Planning, Building and Zoning Committee of the Kendall County Board finds that the requested minor amendment will result in equal or better performance than the original condition imposed, shall not result in a change of more than 10% of any previously imposed condition, and the property will still be in substantial compliance with the previously approved Ordinance 2015-06.

2. The Planning, Building and Zoning Committee of the Kendall County Board hereby grants approval of Petitioner's petition for a minor amendment to Condition Number 8 of Ordinance 2015-06 by allowing events to run from April 8th through November 30th and allowing the tent to be erected from April 8th through November 30th in 2021 only. The Petitioner shall have an option to renew this amendment in successive years, if approved by the Kendall County Planning, Building and Zoning Committee.

3. This minor amendment shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

State of Illinois
County of Kendall

Zoning Petition
#20-26

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by a majority vote of the Planning, Building and Zoning Committee of the Kendall County Board and is effective this 9th day of November, 2020.

Attest:

Kendall County Zoning Administrator
Matthew H. Asselmeier

Kendall County PBZ Committee Chairman
Matthew G. Prochaska

Exhibit A

THE WEST 400.0 FEET OF THE NORTH 435.60 FEET OF A STRIP OF LAND 54 RODS (891.0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES

THE WEST 561.0 FEET OF THE NORTH 971.0 FEET (EXCEPT THE WEST 400.0 FEET OF THE NORTH 435.60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891.0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8.5052 ACRES

MINOR AMENDMENT TO EXISTING SPECIAL USE

INCREASING THE NUMBER OF OPERATIONAL DAYS FOR OPERATING A BANQUET HALL AND NUMBER OF DAYS THE TEMPORARY TENT CAN BE ERECTED AT 1998 JOHNSON ROAD (PINs: 06-11-100-004 AND 06-11-100-008) IN NA-AU-SAY TOWNSHIP

WHEREAS, Section 13:08 of the Kendall County Zoning Ordinance permits the Kendall County Planning, Building and Zoning Committee of the Kendall County Board to approve minor amendments to existing special use permits and provides the procedure through which minor amendments to existing special use permits are granted; and

WHEREAS, the property which is the subject of this Ordinance has been, at all relevant times, and remains currently located within the A-1 Agricultural Zoning District and consists of approximately 12.5 acres located at 1998 Johnson Road (PINs: 06-11-100-004 and 06-11-100-008), in Na-Au-Say Township. The legal description for the subject property is set forth in Exhibit A attached hereto and incorporated by reference, and this property shall hereinafter be referred to as "the subject property."; and

WHEREAS, on April 21, 2015, the Kendall County Board approved Ordinance 2015-06 which granted a special use permit for a banquet hall for special events at the subject property; and

WHEREAS, Condition Number 8 of Ordinance 2015-06 stated that events can run from May 1st through November 15th and the temporary tent can be erected from May 1st through November 15th; and

WHEREAS, on April 8, 2019, the Kendall County Planning, Building and Zoning Committee approved a minor amendment to the special use permit granted by Ordinance 2015-06 allowing porta-johns to remain on the property during the entire season and allowing the temporary tent to be erected between April 15th and November 15th; and

WHEREAS, on November 9, 2020, the Kendall County Planning, Building and Zoning Committee approved a minor amendment to the special use permit granted by Ordinance 2015-06 allowing events to run from April 8th through November 30th and allowing the tent to be erected from April 8th through November 30th in 2021 only and allowing the Petitioner the option to renew this amendment in successive years, if approved by the Kendall County Planning, Building and Zoning Committee; and

WHEREAS, the subject property is currently owned by the Peter J. Pasteris Jr. Revocable Declaration of Living Trust as represented by Peter and Laurie Pasteris and hereinafter shall be referred to as "Petitioner"; and

WHEREAS, on or about September 1, 2021, Petitioner filed a petition for a minor amendment to Condition Number 8 of Ordinance 2015-06 to allow events to be held between April 8th through November 30th and to allow the tent to be erected between April 8th through November 30th in 2022; and

NOW, THEREFORE, BE IT ORDAINED, BY THE PLANNING, BUILDING AND ZONING COMMITTEE OF THE COUNTY BOARD OF KENDALL COUNTY, ILLINOIS, as follows:

1. The Planning, Building and Zoning Committee of the Kendall County Board finds that the requested minor amendment will result in equal or better performance than the original condition imposed, shall not result in a change of more than 10% of any previously imposed condition, and the property will still be in substantial compliance with the previously approved Ordinance 2015-06.

2. The Planning, Building and Zoning Committee of the Kendall County Board hereby grants approval of Petitioner's petition for a minor amendment to Condition Number 8 of Ordinance 2015-06 by allowing events to run from April 8th through November 30th and allowing the tent to be erected from April 8th through November 30th in 2021 and 2022 only. The Petitioner shall have an option to renew this amendment in successive years, if approved by the Kendall County Planning, Building and Zoning

Committee.

3. This minor amendment shall be treated as a covenant running with the land and is binding on the successors, heirs, and assigns as to the same special use conducted on the property.

IN WITNESS OF, this minor amendment to an existing special use permit has been enacted by a majority vote of the Planning, Building and Zoning Committee of the Kendall County Board and is effective this 13th day of September, 2021.

Attest:

_____	_____
Kendall County Zoning Administrator	Kendall County PBZ Committee Chairman
Matthew H. Asselmeier	Scott Gengler

THE WEST 400 0 FEET OF THE NORTH 435 60 FEET OF A STRIP OF LAND 54 RODS (891 1 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 4 ACRES

THE WEST 561 0 FEET OF THE NORTH 971 0 FEET (EXCEPT THE WEST 400 0 FEET OF THE NORTH 435 60 FEET, THEREOF) OF A STRIP OF LAND 54 RODS (891 0 FEET) WIDE OFF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 11, TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, SITUATED IN NA-AU-SAY TOWNSHIP, KENDALL COUNTY, ILLINOIS CONTAINING 8 5052 ACRES

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM Senior Planner
Date: September 8, 2021
Re: Proposed Excavation Business at 3485 Route 126

The Planning, Building and Zoning Department received a request for an excavation business at 3485 Route 126. The letter explaining proposed operations is attached.

An excavation business was previously located at the subject property. The business was allowed at this location by court order; a copy of the court order is attached. The previous use at the property expired when the owners at the time of the court order sold the property.

Excavation businesses are not presently allowed on A-1 zoned property. They are allowed as part of construction services and shops as conditional uses in the B-2 and B-3 Districts and are permitted uses in the M-1 and M-2 Districts. In the B-2 and B-3 Districts, all equipment and materials must be stored indoors.

If the Committee is in favor of this use at the subject property, then the property owner would need to apply for a text amendment adding construction services and shops to the list of special uses in the A-1 District and would need to apply for a special use permit for this use at the subject property.

If you have any questions, please let me know.

MHA

Encs. August 30, 2021 Baish Excavating Letter
May 8, 2001 Court Order

Baish Excavating, Inc.
P.O. Box 193
25712 W. 143rd St.
Plainfield, Illinois 60544

Phone: 815-577-1515
Fax: 815-609-2929
E-mail: bbaish@baishexcavating.com
www.baishexcavating.com

August 30, 2021

To Whom It May Concern,

Baish Excavating, Inc. is a Union Excavation and Concrete Company which has worked locally for over 30 years.
Our main hours of operation are 6 AM—5 PM, Monday through Friday. We do emergency repairs for local municipalities, as well as snow plow, so there are other times that we are on site, but those are usually isolated incidents.
Our average daily amount of employees that come and go from the site is 11. 4-5 of those people work full time on site, the rest are grabbing equipment to take to the jobs they are working on.
Equipment that will be stored on site will change depending on the work load but there at any time be excavators and / or loaders on site if in between jobs or getting ready to mobilize for snow removal. No specific piece should be on site for long. Skid steers and track skids tend to be in yard the most but are leaving daily to work on job sites. We have two semi dumps that might be parked outside when not being used, but the intent is to keep as much as possible stored inside the buildings. We will have three fuel tanks on site which we will be guided by Feece Oil and the State Fire Marshall as to proper placement. We have started discussion with them already and we will be well below allowed limits.
We truly appreciate you entertaining letting us conduct business from your jurisdiction. If you have any further questions, please never hesitate to ask.

Sincerely,

[redacted]

Bob Baish
President
Mobile # [redacted]

FILED

MAY 08 2001

SHIRLEY R. LEE
Circuit Clerk Kendall Co.

STATE OF ILLINOIS)
) SS
COUNTY OF KENDALL)

IN THE CIRCUIT COURT FOR THE SIXTEENTH JUDICIAL CIRCUIT
KENDALL COUNTY, ILLINOIS

COUNTY OF KENDALL, a Body Politic,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	GEN. NO. 99-OV-18
	)	
STEVEN FREEMAN and JEAN FREEMAN,	)	
	)	
Defendants.	)	

AGREED ORDER

This cause comes before the Court for hearing on the Complaint filed herein by the County alleging violations of the Kendall County Zoning Ordinance and the Kendall County Soil and Erosion Control Ordinance as such Ordinances apply to the real estate owned by the Defendants, STEVEN FREEMAN and JEAN FREEMAN.

The real estate which is the subject matter of these proceedings and is the subject of this Order is described on Exhibit "A" attached hereto and made a part hereof and consists of the tract of land containing 2.4396 acres of land and presently improved with a metal building, silo and corn crib.

The Court is advised that a building permit was issued for the construction of an Equipment Storage Building on the real estate on September 3, 1997, and that subsequent thereto the building was constructed by the Defendants and was thereafter used continuously for the storage of trucks and earthmoving equipment used by the Defendants in their excavating business.

The Court is further advised that the County and the Defendants have agreed to the terms of this Order settling between the parties all matters in controversy in this proceeding,

which permits the continued use of the building by the Defendants, subject, however, to the terms and restrictions contained in this Order.

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. The real estate described herein shall remain classified A-1, Agricultural, under the Kendall County Zoning Ordinance. Defendants shall withdraw their pending Petition for Special Use filed on October 13, 2000.

2. Defendants shall be permitted to continue to use the real estate and the improvements situated thereon for the storage of the trucks and equipment used in their excavating business, or for other uses normally permitted in the A-1 Zoning District, subject, however, to the following restrictions:

   a. All trucks and earthmoving equipment used in the Defendants' excavating business shall be stored inside the metal equipment storage building.

   b. Nothing other than agricultural products may be stored on the 2.4396 acre parcel of real estate outside of the metal equipment storage building, the silo, and the corn crib, depicted on Exhibit "A".

   c. No additional building or buildings shall be constructed on the real estate, nor shall the size of the metal equipment storage building be increased.

   d. In the event that the metal equipment storage building sustains damages, due to fire or other causes, in excess of 50% of its value, then the building may only be rebuilt and restored if the structure meets all required building set back requirements for principal buildings (100 feet from the dedicated road right of way) in the A-1 Zoning District and the building, when rebuilt, shall not be greater than 10,000 square feet in size.

   e. The maximum quantity of fuel which may be stored on-site shall be 2,000 gallons, and all fuel shall be stored in compliance with the rules and regulations of the Office of the Illinois State Fire Marshall.

   f. No portion of the adjoining acreage owned by the Defendants and depicted on Exhibit "A", containing the frame residence and barn, shall be used for storage of any equipment used by the Defendants in their excavating business. The use of said adjoining parcel shall be limited to uses permitted in the A-1 Zoning District.

g. The metal equipment storage building shall be maintained in accordance with the building code and building use codes and shall be subject to periodic inspection by the Kendall County Planning, Building & Zoning Department. Said building shall not be used for office purposes.

h. Defendants shall blacktop that portion of the gravel driveway on the South side of the metal equipment storage building prior to May 1, 2002.

i. Defendants shall comply with the County Stormwater Control Ordinances and shall make such site improvements as are required by the County in order to comply therewith.

j. Defendants shall apply for a site development permit, including all required fees and submittal of required engineering plans, for the berms constructed on site, no later than 60 days from the date of entry of this Order.

k. Defendants shall request a reinspection of the completed structure to ensure it meets all building code requirements. All applicable inspection fees, including the difference between a 14,000 square foot and a 9,000 square foot structure, shall be paid to the County within 60 days from the date of entry of this Order.

l. Defendants shall dedicate to the State of Illinois, or to the County of Kendall, as directed by the County, a 50 feet of Right of Way for roadway purposes along the South line of the entire 5.398 acres described on Exhibit "A" to accommodate future expansion of Illinois Route 126.

m. All dirt and material piles shall be removed from the property no later than 30 days from the date of entry of this Order.

3. The use of the land for storage of trucks and equipment and for an excavating business shall only continue as long as the Defendants own and personally use the property. Once the property is sold, leased or transferred, the use as described must cease.

4. Defendants shall pay a fine and Court Costs of $2,500.00, within 14 days from the date of entry of this Order.

5. The Kendall County Planning, Building & Zoning Department is authorized to monitor the use of the premises to insure compliance with the terms of this Order.

6. This Court shall retain jurisdiction of the subject matter hereof and the parties hereto for the purpose of enforcing the terms and provisions hereof.

Approved: County of Kendall

By: [redacted]

[redacted] eeman

[redacted] Jean Freeman

Entered as an Agreed Order this 8th day of May, 2001

[redacted]

Judge

H:\SBuening$\FREEMAN.AGREEDORD3.doc

THAT PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 9 AND THAT PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 16 LYING NORTHERLY OF THE CENTERLINE OF ILLINOIS ROUTE #126 ALL IN TOWNSHIP 36 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 9; THENCE NORTH 1 DEGREE 36 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, 260 FEET; THENCE NORTH 88 DEGREES 44 MINUTES 53 SECONDS EAST, 335 FEET; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST 148.39 FEET FOR THE POINT OF BEGINNING; THENCE SOUTH 01 DEGREE 39 MINUTES 11 SECONDS EAST, 529.00 FEET TO SAID CENTER LINE OF ROAD; THENCE SOUTH 80 DEGREES 28 MINUTES 31 SECONDS WEST ALONG SAID CENTERLINE, 211.04 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 392.85 FEET; THENCE NORTH 88 DEGREES 40 MINUTES 35 SECONDS EAST, 60.0 FEET; THENCE NORTH 01 DEGREE 39 MINUTES 11 SECONDS WEST, 200.0 FEET; THENCE SOUTH 78 DEGREES 36 MINUTES 35 SECONDS EAST, 153.0 FEET TO THE POINT OF BEGINNING, IN THE TOWNSHIP OF NA-AU-SAY, KENDALL COUNTY, ILLINOIS.

Exhibit "A" - Page 1 of 2

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: September 1, 2021
Re: Leaf Burning Regulations

In 1997, the Kendall County Board adopted Ordinance 1997-12 which outlawed leaf burning on properties zoned R-6 and R-7 in townships with a population in excess of fifteen thousand (15,000) people based upon the last official census. A copy of Ordinance 1997-12 is attached.

As of the 2020 Census, only Oswego and Bristol Townships met the population criteria. Both townships met the population criteria after the 2010 Census. These two (2) townships were also the only townships that had properties zoned R-6 or R-7. As such, these are only the only townships where this regulation is enforced. A map showing the R-6 and R-7 zoned areas is attached. The township populations map is also attached.

Staff was wondering if the Committee wanted to review this regulation based on the 2020 Census figures.

If you have any questions regarding this memo, please let me know.

MHA

Encs.: Ordinance 1997-12
R-6 and R-7 Zoning Map
Township Population Map

97-12

ORDINANCE RELATING TO BURNING OF LEAVES AND LANDSCAPE WASTE

WHEREAS, the Kendall County Board has an obligation to protect the health and general welfare of the citizens of Kendall County; and

WHEREAS, there are densely populated areas of Kendall County where significant air contamination results from the opening burning of leaves and other landscape waste; and

WHEREAS, elevated levels of air contaminants cause adverse health effects among a significant percentage of the population; and

WHEREAS, alternative methods of leaf and landscape waste disposal exist, including collection by local waste haulers and composting; and

WHEREAS, the Kendall County Department of Health and Human Services has conducted research into the need for the adoption of an Ordinance regulating the burning of leaves and landscape waste in densely populated areas of Kendall County; and

WHEREAS, the Kendall County Board intends by the adoption of this Ordinance, to not restrict routine agricultural activities conducted within Kendall County; and

WHEREAS, the Kendall County Board believes that the adoption of this Ordinance will be the least restrictive means of protecting the health and general welfare of the citizens of Kendall County; and

WHEREAS, the Kendall County Board believes that the adoption of this Ordinance does not place an unreasonable burden on the citizens affected by the Ordinance; and

WHEREAS, the Kendall County Board believes that the adoption of this Ordinance is in the best interest of the citizens and residents of Kendall County;

AS A RESULT OF THE FOREGOING, IT IS HEREBY RESOLVED AS FOLLOWS:

1. It shall be unlawful for any person to cause or allow the burning of leaves and landscape waste within Kendall County in areas designated as R-6 or R-7 according to the official Kendall County Zoning Ordinance, and official Kendall County Zoning Maps, as amended.

2. This Ordinance shall only be effective in Townships with a population in excess of ~~10~~ 15,000, based upon the last official census.

3. Any person who violates the provision of this Ordinance shall be guilty of a petty offense. A conviction for this offense shall be punishable by a fine of not less than $25.00 nor more than $100.00. A second conviction for the violation of this Ordinance shall be punishable by a fine of not less than $50.00 nor more than $250.00. A third or subsequent conviction for violation of this Ordinance shall be punishable by a fine of not less than $250.00 nor more than $500.00. Each day's violation of this Ordinance shall constitute a separate offense.

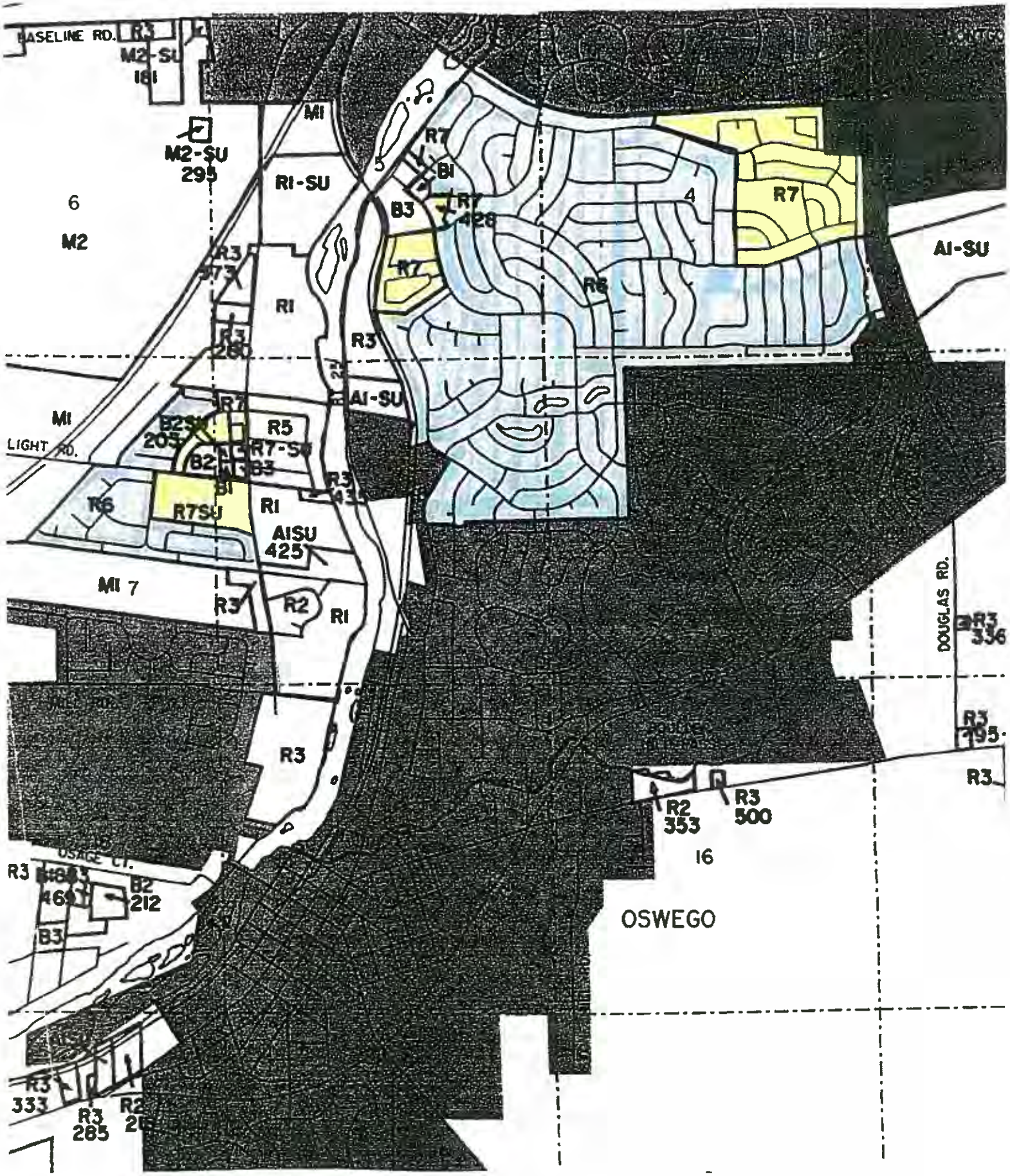
4. Persons actually engaged in the business of agriculture shall be exempt from the provision of this Ordinance, if the actions of said person are in support of their agricultural pursuits. A person shall be deemed to be acting in support of their agricultural pursuits if that person is acting upon or adjacent to their agricultural lands, and while they are engaged in activities such as controlled burning for the purpose of weed eradication, and similar activities.

5. Persons actually engaged in the process of native prairie grass restoration shall be exempt from the provisions of this Ordinance, while such persons are carrying out activities directly related to the establishment of native prairie grass.

6. This Ordinance shall take effect on July 1, 1997.

Chairman

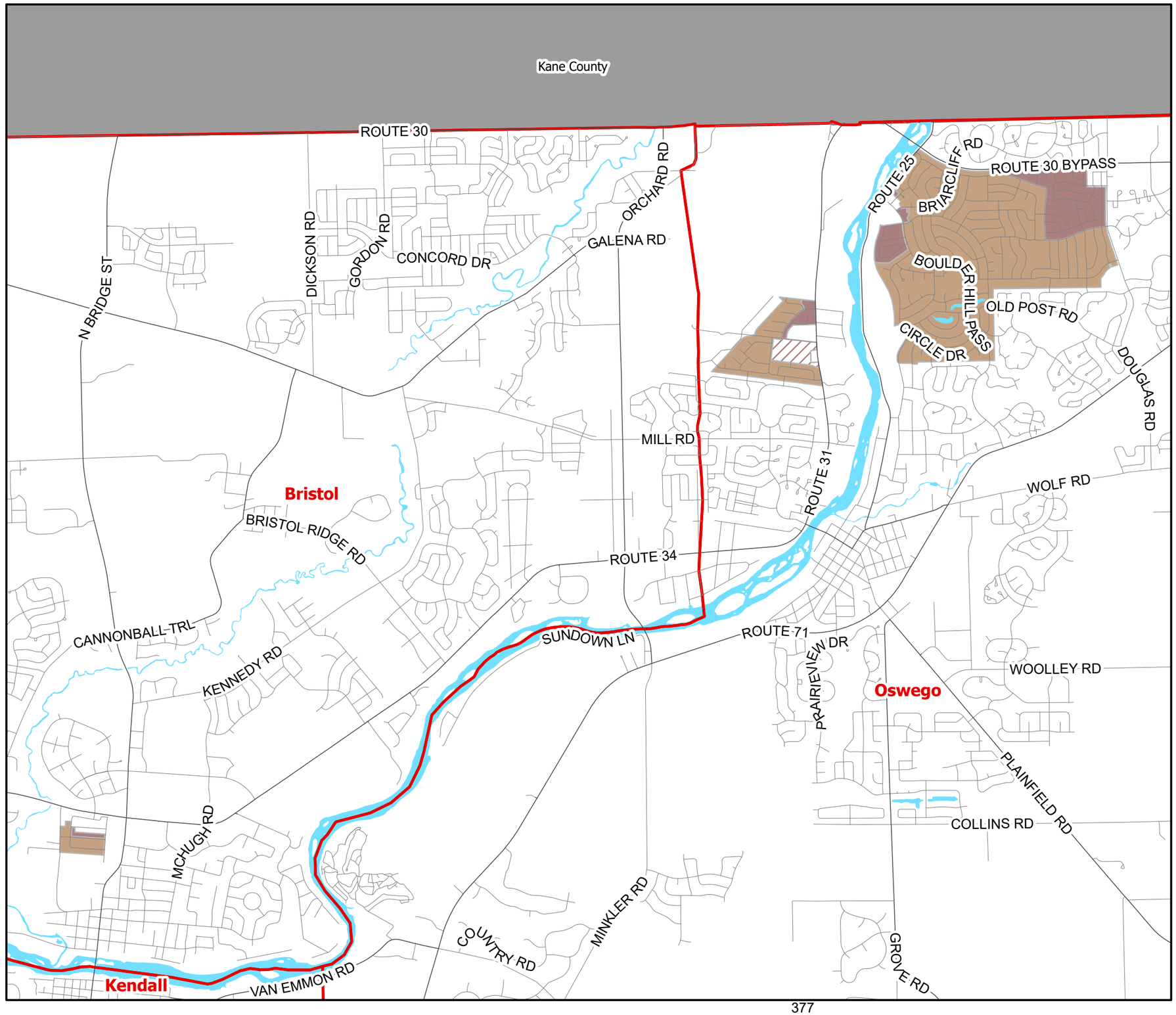
ATTEST: _____
Clerk



OSWEGO TOWNSHIP ZONING

R-6 and R-7 Zoned Areas

The R-6 and R-7 Zoned Areas are only located within Bristol and Oswego Townships.



Zoning
- R6
- R7
- R7-SU

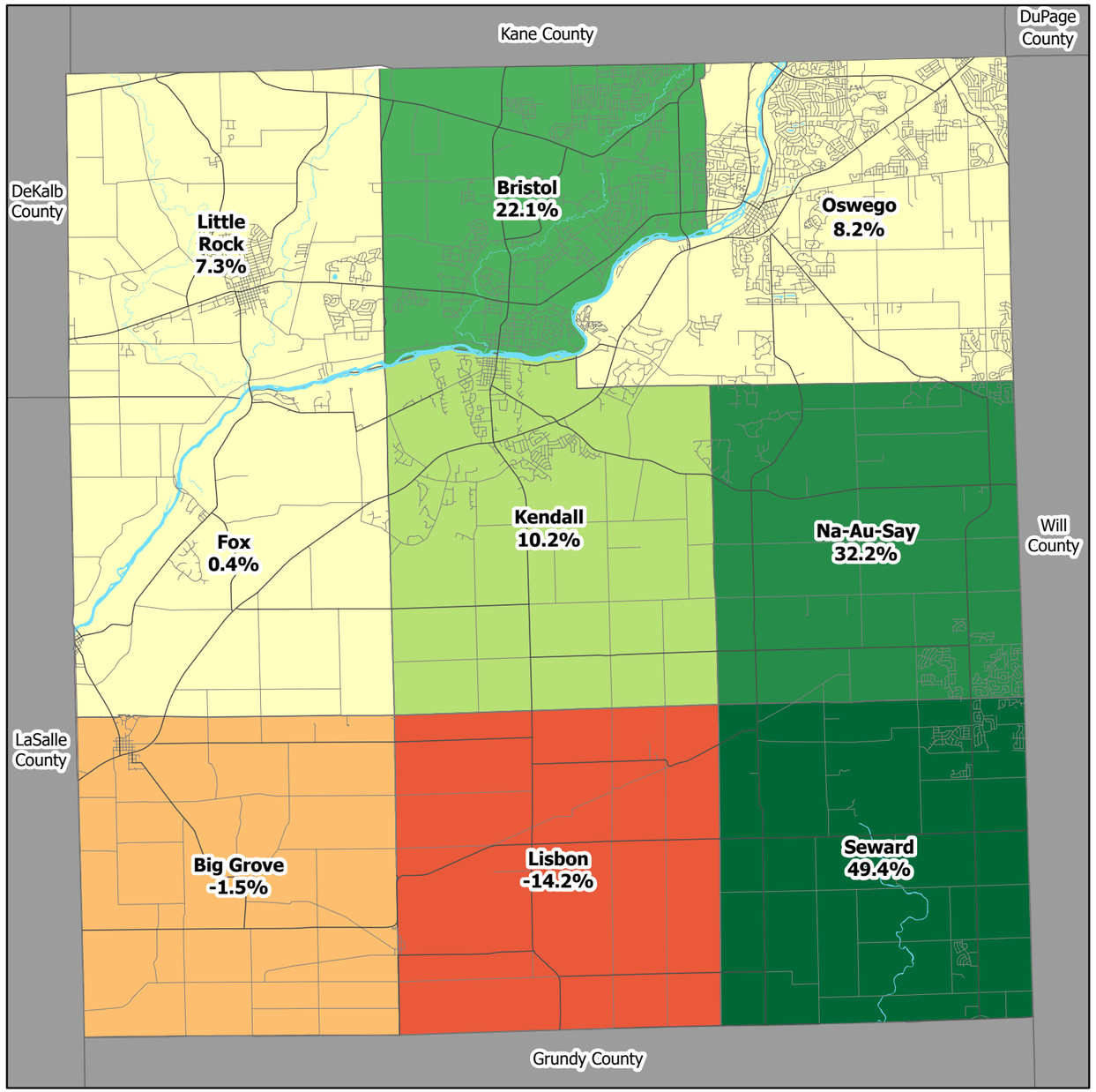
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Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

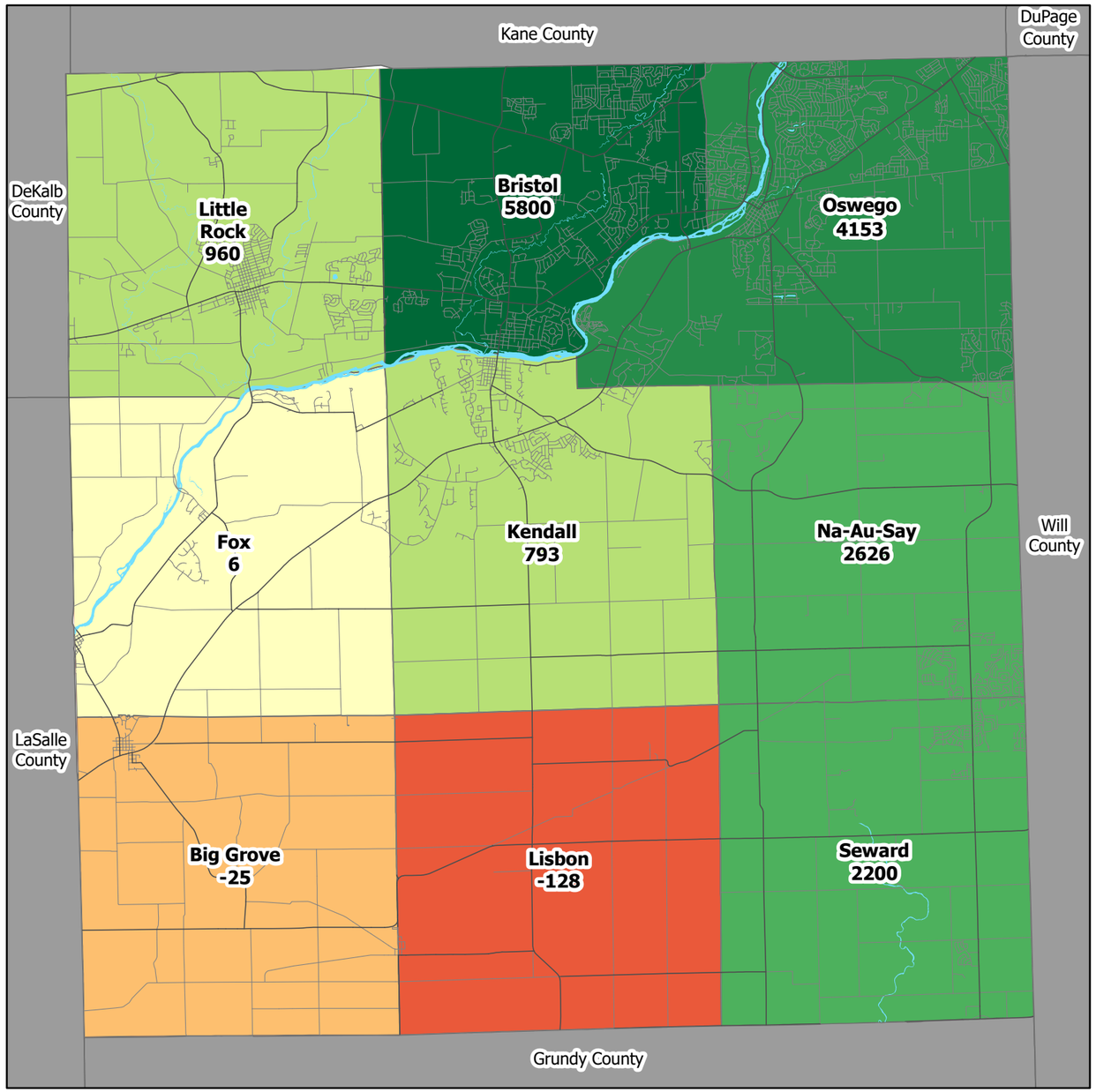
Growth/Loss Comparison from 2010 Census to 2020 Census

By Percentage (2020 Divided by 2010)



Township	2010 Population	2020 Population	2020/2010	2020-2010
Big Grove	1647	1622	-1.5%	-25
Bristol	26230	32030	22.1%	5800
Fox	1675	1681	0.4%	6
Kendall	7739	8532	10.2%	793
Lisbon	899	771	-14.2%	-128

2020 Population Minus 2010 Population



Township	2010 Population	2020 Population	2020/2010	2020-2010
Little Rock	13076	14036	7.3%	960
Na-Au-Say	8145	10771	32.2%	2626
Oswego	50870	55023	8.2%	4153
Seward	4455	6655	49.4%	2200

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM Senior Planner
Date: September 1, 2021
Re: Public Act 102-0180-Garden Act

Earlier in 2021, the Illinois General Assembly passed and the Governor signed Public Act 102-0180 (formerly House Bill 0633) also known as the Garden Act.

The Garden Act allows people to plant vegetable gardens as the primary use on residential pieces of property. Further, no county in Illinois can prevent people from using residential property for the purpose of vegetable gardens. The Garden Act becomes effective January 1, 2022. A copy of Public Act 102-0180 is attached.

Presently, farming is a permitted use on A-1, RPD-1, RPD-2, and RPD-3 zoned property in unincorporated Kendall County. Below please find a proposal amending various sections of the Kendall County Zoning Ordinance to allow vegetable gardening on R-1, R-2, R-3, R-4, R-5, R-6, and R-7 zoned property:

8:02.A Permitted Uses in the R-1
5. Lands and buildings used for horticulture or farm purposes **including vegetable gardens as defined by the Garden Act.**

8:06.A Permitted Uses in the R-2
1. Any permitted use in the R-1 One-Family Estate Residence District, Section 8:02.A except:
a. Lands and buildings used for horticultural or farm purposes, **not including vegetable gardens as defined by the Garden Act,**

8:07.A Permitted Uses in the R-3
1. Any permitted use in the R-1 One-Family Estate Residence District, Section 8:02.A except:
a. Lands and buildings used for horticultural or farm purposes, **not including vegetable gardens as defined by the Garden Act,**

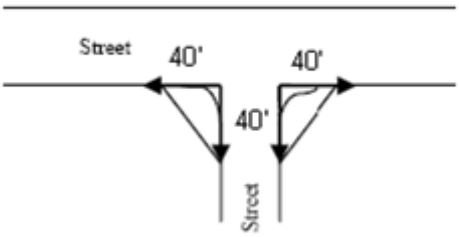
8:08.A Permitted Uses in the R-4, R-5, R-6, and R-7 Districts
6. Vegetable Gardens as defined by the Garden Act

Amendment to Appendix 9, Table of Uses to reflect the addition of Vegetable Gardens as a Permitted Use in all Residential Zoning Districts.

If this amendment is adopted as proposed, roadside stands would remain permitted uses on A-1, R-1, RPD-1, RPD-2, and RPD-3 Districts only.

Also, per Section 4:05.B of the Kendall County Zoning Ordinance, gardens may encourage up to all property lines. **Section 11:02.F.11** should be clarified as follows regarding sight triangles:

11. Landscape sight triangle. No landscaping including berms **and vegetable gardens as defined by the Garden Act** shall be planted within a forty foot (40') sight triangle measured at the intersection of two public streets.



If you have any questions, please let me know.

MHA

Enc. Public Act 102-0180

AN ACT concerning vegetable garden protection.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Garden Act.

Section 5. Purpose. The Act's purpose is to encourage and protect the sustainable cultivation of fresh produce at all levels of production, including on residential property for personal consumption or non-commercial sharing.

Section 10. Vegetable garden defined. As used in this Act, the term "vegetable garden" means any plot of ground or elevated soil bed on residential property where vegetables, herbs, fruits, flowers, pollinator plants, leafy greens, or other edible plants are cultivated.

Section 15. Right to cultivate vegetable gardens. Notwithstanding any other law, any person may cultivate vegetable gardens on their own property, or on the private property of another with the permission of the owner, in any county, municipality, or other political subdivision of this state.

Section 20. Home rule. A home rule unit may not regulate gardens in a manner inconsistent with this Act. This Section is a limitation under subsection (i) of Section 6 of Article VII of the Illinois Constitution on the concurrent exercise by home rule units of powers and functions exercised by the State.

Section 25. State and local regulation still permitted. Section 20 of this Act notwithstanding, this Act does not preclude the adoption of a regulation or local ordinance of general nature that does not specifically regulate vegetable gardens, including, but not limited to, regulations and ordinances relating to height, setback, water use, fertilizer use, or control of invasive or unlawful species, provided that any such regulation or ordinance does not have the effect of precluding vegetable gardens.

DEPARTMENT OF PLANNING, BUILDING & ZONING
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MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM Senior Planner
Date: September 1, 2021
Re: Public Act 102-0492-Agricultural Experiences Act

Earlier in 2021, the Illinois General Assembly passed and the Governor signed Public Act 102-0492 (formerly House Bill 3650) also known as the Agricultural Experiences Act. A copy of Public Act 102-0492 is attached.

The Agricultural Experiences Act defines an agricultural experience, as ". . . any agricultural-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products." Crucially, the Act forbids a county from requiring conditional use permits, special use permits, or variances for this type of use.

The definition of agricultural experience in State law is similar to the County's definition of seasonal festivals. Seasonal festivals, as defined in the Zoning Ordinance, are defined as follows:

"A temporary event held during a specified time of the year which is designed to enhance the sales of seasonal crops and related products produced in conjunction with existing agricultural businesses such as orchards, vineyards, nurseries and similar agricultural operations. Related activities may include, but are not limited to, corn mazes, wagon rides, pony rides, farm animal petting zoos, and pumpkin patches. Activities including amusement park rides, live music concerts, truck and tractor pull competitions are specifically prohibited from Seasonal Festivals."

Seasonal festivals are conditional uses in the A-1 District Agricultural and are permitted uses in the B-4 Commercial Recreation District. The conditions for seasonal festivals are as follows:

a) Adequate parking on site shall be provided in such a way that no on-street parking is necessary.

b) Event areas, stands, booths, parking and other uses and facilities appurtenant to the site shall not be located within 150 feet of a residential district, or residential structure located off the subject zoning lot unless written consent from the effected residents is provided to the Planning, Building and Zoning Office.

c) The operator shall have adequate waste receptacles and toilet facilities on site as determined in writing from the Department of Health and Human Services.

d) No alcohol shall be sold on the premises.

e) Petting Zoos shall provide adequate hand sanitation devices as determined by the Department of Health and Human Services.

f) All food prepared or sold on site shall comply with the Department of Health and Human Services requirements.

g) Noise levels generated from non-agricultural sources shall not exceed 60 dBA as measured at the nearest occupied residential structure on an adjoining property.

h) The operator shall provide adequate crowd control and parking direction as reasonably determined by the Kendall County Sheriff's Office.

i) No event activity shall start earlier than 9:00 a.m. any day of the week, and shall end no later than 10:00 p.m., Monday thru Wednesday and no later than 11:30 p.m. Thursday thru Sunday.

j) Events shall be permitted once a year unless otherwise approved by the PBZ Committee.

k) Seasonal Festivals shall be permitted up to, but not exceed, ninety (90) consecutive days in length in one calendar year.

l) 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 during the duration of the Seasonal Festival subject to the review and approval of the Zoning Administrator.

m) All signage shall comply with Section 12:00 of the Zoning Ordinance.

n) All proposed lighting shall be non-obtrusive onto adjoining properties and should not exceed 0.2 foot candles at any property line.

o) Any Seasonal Festival which cannot meet these standards may still be permitted if approved as a Special Use. An applicant seeking an approval of the conditional use shall submit an application to be acted upon by the Zoning Administrator. The Zoning Administrator may, at his or her discretion, refer the request to the PBZ Committee of the County Board for recommendation prior to taking action. In addition, the petitioner may appeal the decision of the Zoning Administrator in the review of a Conditional Use for a Seasonal Festival to the PBZ Committee. In such instances the PBZ Committee shall be the final authority.

Presently, three special uses are impacted by the Agricultural Experiences Act. The special use permits for Woody's Orchard (Ordinances 2016-21 and 2021-07), Heap's Giant Pumpkins (Ordinance 2015-11), and Keller Farms (Ordinance 2009-18) contain provisions related to Seasonal Festivals. Staff would like to point out that both of these properties have special use permits beyond agricultural experiences (i.e. Woody's Orchard and Heap's Giant Pumpkins have special use permits for banquet facilities).

Staff requests guidance as to how to proceed with text amendments to the Zoning Ordinance regarding the Agricultural Experiences Act. If the Committee wishes Staff to create a text amendment, the following items need to be addressed:

1. The Agricultural Experiences Act says that the agricultural experience must be a "secondary use". Does the Committee want Staff to draft an amendment that allows Seasonal Festivals as a secondary use on land to be a permitted use in the A-1 District while retaining Seasonal Festivals as a primary use on land as conditional use in the A-1? Should a similar distinction be made for Seasonal Festivals in the B-4 District?

2. The Agricultural Experiences Act is very explicit that variances cannot be granted. In cases where Seasonal Festivals are secondary uses and have to be allowed as permitted uses, does the Committee want any restrictions placed on the use?

If you have any questions, please let me know.

MHA

Enc. Public Act 102-0492

AN ACT concerning Agriculture.

Be it enacted by the People of the State of Illinois, represented in the General Assembly:

Section 1. Short title. This Act may be cited as the Agricultural Experiences Act.

Section 5. Agricultural experiences.

(a) In this Section, "agricultural experience" means any agriculture-related activity, as a secondary use in conjunction with agricultural production, on a farm which activity is open to the public with the intended purpose of promoting or educating the public about agriculture, agricultural practices, agricultural activities, or agricultural products.

(b) To assist in the promotion of agricultural experiences, a county shall not require a conditional use permit, special use permit, special exception, or variance for agricultural experiences on property of which the primary use is agricultural production.

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: September 2, 2021
Re: LRMP Update

Aside from some updates to the transportation plan, policy statements, and requests for changes to the Future Land Use Map for individual parcels, Kendall County has not completed a comprehensive update to the Land Resource Management Plan since 2005. Between 1998 and 2005, Kendall County updated the sections for each township, including doing population forecasts through the 2020 Census.

A large portion of the data in the Land Resource Management Plan is now outdated and, as part of the budget research process, Staff contacted Teska Associates to obtain a cost estimate to update the Land Resource Management Plan. Attached is Teska Associates' price quote and scope of work. As noted in this information, the project would occur over a three (3) year period and involve at least one (1) meeting in each township.

Staff requests guidance from the Committee regarding whether or not the County should pursue an update at this time.

If you have any questions regarding this memo, please let me know.

MHA

Enc.: Project Proposal

August 9, 2021

Matt Asselmeier, Senior Planner
Kendall County
111 West Fox Street
Yorkville, IL 60560-1498

RE: Scope and Budget for LRMP Update

Dear Matt:

Good talking with you a few weeks ago about updating the Kendall County Land Resource Management Plan (LRMP). The following scope, budget and timeline should be helpful in planning for this major update. In the scope below I have made some assumptions, all of which will obviously impact the final cost. Assumptions include:

- Working from the existing plan rather than starting from scratch. This includes the County providing Teska with updated GIS files where available.
- Creating a project web site to assist in gaining community input throughout the County. The web site would host surveys, provide contact information, contain draft materials, and generally provide an opportunity for the public to participate throughout the planning effort.
- Dividing the County up into 3 sections for detailed planning efforts, each with 3 townships. We could do this either in and east/west or north/south fashion. In the past we focused more on north/south groupings, but I'd like to consider more of an east/middle/west grouping (Oswego, Na-Au-Say, Seward as the east group and so on). This would relate to the Counties primary business corridors, with Ridge to the east, Route 47 in the middle, and Eldamain to the west.
- Consolidating demographics and trends. Rather than as they are now in each subarea (3 township section), have one section on demographics up-front that can be used throughout the plan.
- Utilizing a committee to work though the details of the plan – this could be the old Ad Hoc committee, or some other group formed to guide the planning effort. The full Regional Planning Commission (RPC) should also be heavily involved throughout the effort, but I think a smaller working group will be helpful in keeping things on track while allowing the RPC to handle their normal case load.

- Efforts to keep the County Board, through the Planning, Building and Zoning Committee, updated throughout the process

Project Scope

1. **Kick-off Meeting**
   This meeting with the Regional Planning Commission will review the existing LRMP structure, overall project timeline and approach, and existing county-wide conditions (development trends, demographics, etc.).

2. **Community Engagement**
   This task will focus on obtaining input from County residents and businesses through creation of an interactive web site, surveys, and development of materials for in-person meetings. It will also involve the use of social media (Facebook, Twitter, etc.) to maximize input from all areas of the County.

3. **Review and Update Countywide Policy Framework, Goals & Objectives, Policies**
   Sections 1 through 5 of the Existing LRMP focus on countywide policies, goals, and objectives. This task will review those existing plan components, working closely with both the Steering Committee and the RPC to refine, focus and clarify the Counties overall vision for future growth and development.

4. **Township Cluster 1 Plan**
   This effort will develop a detailed Future Land Use and Transportation plan for 3 of the Counties Townships following this approach:
   - Where We Are – A closer look at existing development patterns, trends, and existing plans with the 3 townships.
   - Vision – Development of an overall vision for future development. This vision will largely be driven by a workshop held in one of the three clustered townships and refined through work with the Steering Committee.
   - Plan – Development of a detailed future land use and transportation plan for the three townships. This plan will be reviewed at a workshop held within one of the subarea townships and refined with the Steering Committee and RPC.

5. **Township Cluster 2 Plan**
   Same processes as in Task 4 above, for the middle three townships.

6. **Township Cluster 3 Plan**
   Same processes as in Task 4 above, for the three remaining townships.

7. **Overall Plan Refinement and Adoption**
   This task will involve pulling all the pieces of the plan together into a complete LRMP, including an executive summary and a section on implementation. This task will also take the draft plan through a process of review, public hearing, revision, and ultimately approval by the County Board.

Timeline and Budget

We would estimate the planning process to take about 18 months from start to finish, with a consulting budget of approximately $175,000. The timeline, and draft budget, are included in the attached spreadsheet. I did include a 10% contingency in this preliminary budget in case there is a need for additional meetings, revisions, drawings, etc.

There are obviously a lot of variables and options available to update the LRMP, and I'd be happy to discuss these in more detail with you. Hopefully this information will be helpful in budgeting and planning for the effort. Feel free to give me a call or shoot me an e-mail anytime.

Sincerely,



Mike Hoffman, AICP, PLA
Vice President

KENDALL COUNTY LRMP UPDATE TIMELINE

	MONTH																
TASK	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**
1. Kick-off Meeting with RPC - Review LRMP structure, updated Countywide demographics		RPC															
2. Engagement (web site, survey, meeting materials)																	
3. Review and Update Countywide Policy Framework, Goals & Objectives, Policies				RPC		RPC	PBZ				PBZ						
4. Township Cluster 1 Plan			RPC					RPC									
5. Township Cluster 2 Plan					RPC					RPC							
6. Township Cluster 3 Plan							RPC					RPC					
7. Overall Plan Refinement and Adoption														RPC	Public Hearing	PBZ	County Board

Notes: Each Township cluster would contain 3 townships - either divided east/west or north/south

RPC Meeting - County Building
RPC Meeting - In Cluster
Committee Meeting
PBZ Committee Meeting
County Board Meeting

KENDALL COUNTY LRMP UPDATE TIMELINE

	MONTH																
TASK	**1**	**2**	**3**	**4**	**5**	**6**	**7**	**8**	**9**	**10**	**11**	**12**	**13**	**14**	**15**	**16**	**17**
1. Kick-off Meeting with RPC - Review LRMP structure, updated Countywide demographics		RPC															
2. Engagement (web site, survey, meeting materials)																	
3. Review and Update Countywide Policy Framework, Goals & Objectives, Policies				RPC		RPC	PBZ				PBZ						
4. Township Cluster 1 Plan			RPC					RPC									
5. Township Cluster 2 Plan					RPC					RPC							
6. Township Cluster 3 Plan							RPC					RPC					
7. Overall Plan Refinement and Adoption														RPC	Public Hearing	PBZ	County Board

Notes: Each Township cluster would contain 3 townships - either divided east/west or north/south

RPC Meeting - County Building
RPC Meeting - In Cluster
Committee Meeting
PBZ Committee Meeting
County Board Meeting

KENDALL COUNTY LRMP UPDATE TIMELINE

TASK	Hours Principal	Associate	Cost
1. Kick-off Meeting with RPC - Review LRMP structure, updated Countywide demographics	6	40	$ 5,360
2. Engagement (web site, survey, meeting materials)	30	120	$ 18,000
3. Review and Update Countywide Policy Framework, Goals & Objectives, Policies	65	30	$ 13,700
4. Township Cluster 1 Plan	90	125	$ 28,150
5. Township Cluster 2 Plan	90	125	$ 28,150
6. Township Cluster 3 Plan	90	125	$ 28,150
7. Overall Plan Refinement and Adoption	100	120	$ 29,200
Subtotal			$ 150,710
Contingency			$ 15,071
Expense			$ 7,536
Total			**$ 173,317**

Rates	
Principal	160
Associate	110

Matt:

Thanks for the comments – responses below. If you need me to update the proposal let me know.

Mike Hoffman, AICP, PLA
Vice President + Principal
815.436.9485 office
815.557.4306 cell
Teska Associates, Inc.
Building Community, Creating Place
www.TeskaAssociates.com
Facebook | LinkedIn | Instagram

From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Thursday, August 12, 2021 10:26 AM
To: Michael Hoffman <MHoffman@teskaassociates.com>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>
Subject: RE: [External]LRMP Update

Mike:

I discussed this proposal with Scott Koeppel and we had the following comments and questions:

1. The project scope discussed have a meeting in 1 of the 3 townships in each corridor. How much would it cost to have 1 meeting in each township? – figure about $650 per meeting (includes prep. time and the actual meeting), so original scope had 3 meetings, if we hit all 9 Townships that would add 6 more meetings or $3,900 total.
2. What will the deliverable look like? Will it be a book? A map? – Flexible with this, the assumption would be a bound plan document with maps and other graphics. It would be formatted with more graphics/illustrations than the current LRMP. We could also do an Executive Summary document if you like – that's pretty typical and included in the original budget. We would typically provide you with 25 or so printed copies, and provide you with a PDF that you can post to your web site or print additional copies with. There are some additional things than can be done to publish a web version of the plan – but I have not budgeted for that at this point.
3. How easy will it be for the County to update the deliverable(s)? – We will give you all the original files (GIS, Adobe, etc.) when done so you will have the ability to update on your own. We typically use Adobe InDesign and Illustrator to format and enhance the appearance of the document. If you have someone at the County that can use those products you are golden. If not, we always start with the document in Microsoft Word and can provide you those files as well – but as the final edits get done in InDesign that word document may not have all the final edits in it. The alternative is to do the whole thing in WORD – which we can do, but you would not get as professional looking a document if we do it that way.

4. Would it be possible to spread the costs of the project out over 3 years? – we have already assumed it spread over two years. If we need to spread out things over 3 years I'm sure we can work that out.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM Senior Planner
Date: September 7, 2021
Re: Renewal for Real Estate and Development Billboards

Chairman Gryder requested that the Planning, Building and Zoning Committee explore changing the regulations requiring two (2) year renewals for real estate and development billboards.

The present requirement is found in Section 12:06.A.4 (Signage Regulations – General Standards) and states the following:

"All signs shall be located on the premises for which they are advertising except where indicated otherwise under Sections 12:04 and 12:12 of this Ordinance. Real estate and development signs may be located off site for a period not to exceed two (2) years, provided that a special use is granted pursuant to Section 12:12 of this Ordinance."

The two (2) year renewal requirement was added to the Zoning Ordinance per Ordinance 2000-39, which the County Board adopted in October 2000. A copy of this Ordinance is attached.

Unfortunately, the minutes and related documents associated with Ordinance 2000-39 do not provide any guidance as to why the deadline was imposed. However, the intent of the Ordinance was to restrict the placement of billboards. Ordinance 2000-39 restricted billboards to the M-2 and M-3 Districts and by special use permit only and established an amortization period which was later repealed. A map showing where billboards may be placed by special use permit is attached.

The renewal requirement applies only to real estate and development off premise signs and does not apply to any other billboards. As of the date of this memo, Staff is aware of six (6) billboards in the unincorporated area and one (1) additional real estate and development sign. The real estate and development sign is located at Route 34 and Hafenrichter. A map showing the location of the existing billboards is also attached.

Staff requests guidance as to how to proceed.

If you have any questions, please let me know.

MHA

Enc.: Ordinance 2000-39
M-2 and M-3 Zoning Map
Existing Billboard Map

ORDINANCE NO. 00-39

ZONING ORDINANCE AMENDMENT-OFF PREMISE SIGNS

WHEREAS, the County of Kendall has adopted ordinances, regulations, and codes which regulate construction; and

WHEREAS, the Zoning Ordinance currently allows for commercial, off-premise (billboard) signs to be located in the "M" Manufacturing Districts; and

WHEREAS, the Regional Planning Commission reviewed this proposed change on August 23, 2000, and recommended unanimously in favor of the proposed Ordinance; and

WHEREAS, both the Zoning Board of Appeals conducted a public hearing on the proposed changes on September 28, 2000 and also voted unanimously in favor of the proposed Ordinance; and

WHEREAS, the County Board feels that it is in their best interests to further regulate such signs to reduce blight and the degradation of the aesthetic qualities of the County.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF THE COUNTY OF KENDALL THAT:

That the Kendall County Zoning Ordinance, as adopted on January 16, 1940, is hereby amended as follows (**bold is new text**):

Section 12.06 A-3 (new):

3. **All signs shall be located on the premises for which they are advertising except where indicated otherwise under Section 12.04 of this Ordinance. Real estate and development signs may be located off site for a period not to exceed two (2) years, provided that special use is granted pursuant to Section 12.12 of this Ordinance.**

Section 12.11 A-1-b:

Outdoor advertising structures, advertising signs, and poster panels, provided the total area of all such outdoor advertising structures, advertising signs, and poster panels, do not exceed ~~two hundred and eighty-eight (288)~~ **one hundred (100)** square feet**, and provided that no commercial messages are displayed on said signs. Outdoor advertising structures which display a commercial message are prohibited.**

Section 12.11-A-2-b:

No advertising sign or structure shall be located within five hundred (500) feet of any public park ~~of more than five acres in area~~, **forest preserve, school,** or any freeways, expressways and toll roads designated as such in the records of the governing authorities.

Section 12.11-A-2-c:

No advertising sign shall be located within ~~seventy-five (75)~~ **five hundred (500)** feet of any property located in a Residence District.

Section 12.12: (Special Use Signs)

The Zoning Board of Appeals may recommend and the County Board may permit the use of signs not withstanding limitations set forth in the underlying zoning classification. **However, outdoor advertising structures which advertise off-premise commercial messages may not be permitted by this section except where otherwise provided within Section 12.06 A-3 of this ordinance. Commercial off-premise advertising structures may be permitted via a special use only in the M-2 and M-3 Manufacturing Districts.**

Section 12.17 K:

K. Outdoor advertising structures which display commercial messages.

Section 12.21 (new):

All outdoor advertising structures which display a commercial message shall be removed no later than seven (7) years from the date of this amendatory ordinance. Outdoor advertising structures which display a non-commercial message may remain provided that the sign meets the size, setback, height and bulk standards of the district. Signs may also be reconstructed to meet this requirement provided that building permits are issued to complete such reconstruction.

This This Ordinance shall be effective immediately upon approval.

APPROVED THIS 17th DAY OF October, 2000.

Chairman

ATTEST: Clerk

M-2 and M-3 Zoned Areas

The M-2 and M-3 Zoned Areas are
only located within
Bristol, Oswego, and Lisbon Townships.

Zoning
- M2
- M2-SU
- M3
- M3-SU

N

0 1 2 4
Miles

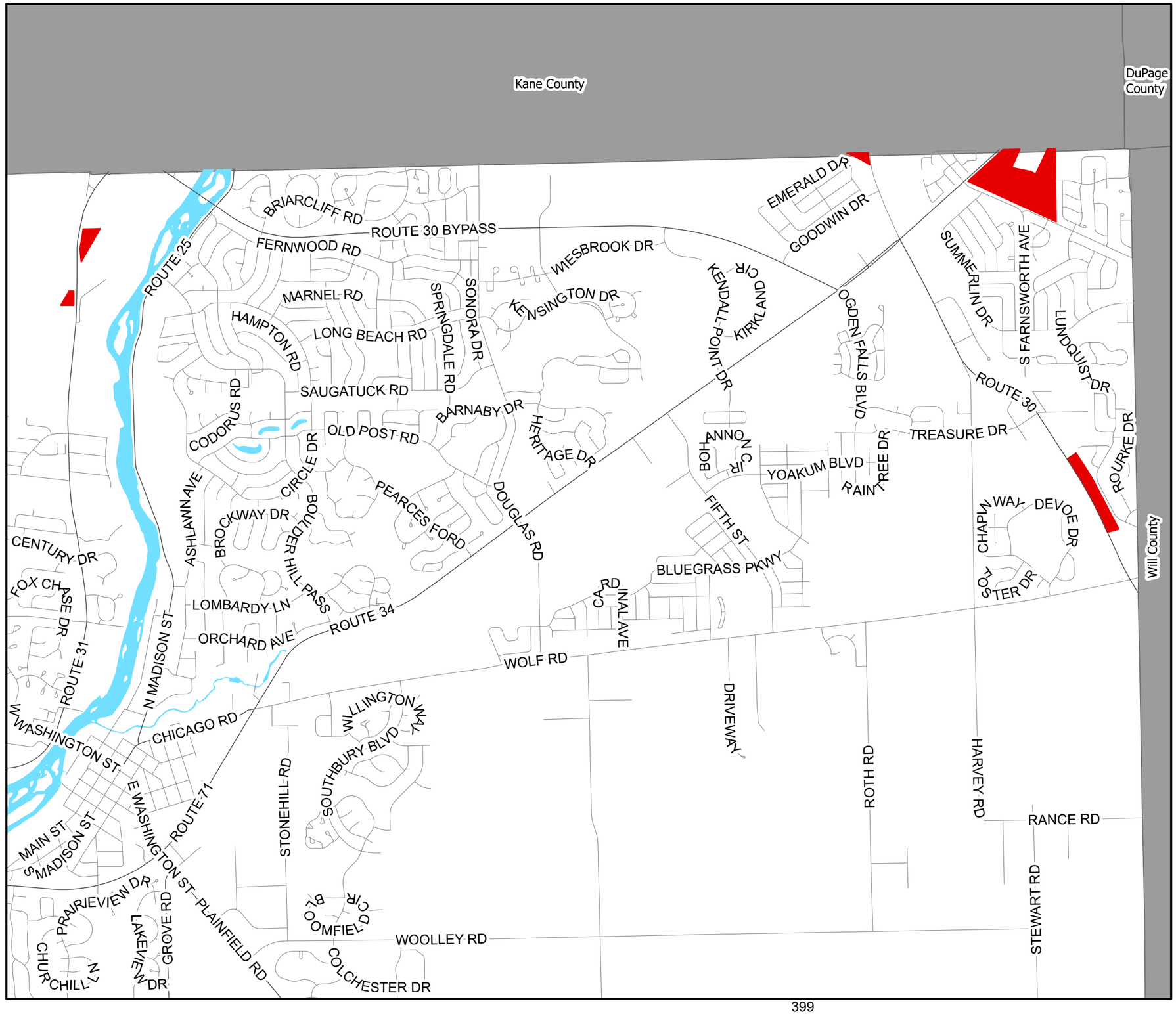
Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

Kane County
DuPage County
DeKalb County
Will County
LaSalle County
Grundy County

Bristol
Little Rock
Oswego
Kendall
Fox
Na-Au-Say
Lisbon
Seward
Big Grove

GALENA RD
LITTLE ROCK RD
CREEK RD
ELDAMAIN RD
WOLF RD
ROUTE 34
ROUTE 71
COLLINS RD
RIVER RD
MINKLER RD
PLAINFIELD RD
MILLINGTON RD
FOX RIVER DR
ROUTE 47
GROVE RD
SCHLAPP RD
ROUTE 126
RIDGE RD
AMENT RD
WHEELER RD
LISBON RD
IMMANUEL RD
WALKER RD
CATON FARM RD
ARBEITER RD
HELMAR RD
ASHLEY RD
CHURCH RD
VAN DYKE RD
NEWARK RD
TOWNHOUSE RD
LISBON CENTER RD
BRISBIN RD
BUSHNELL SCHOOL RD
ROUTE 52
COUNTY LINE RD
ROODS RD
BELL RD
WHITEWILLOW RD
HOLT RD
SHERRILL RD

Locations of Existing Billboards within unincorporated Kendall County



Parcels

N

0 0.25 0.5 1

Miles

Kendall County GIS
111 West Fox Street - Room 308
Yorkville, Illinois 60560
630.553.4212

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 203
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Kendall County Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM Senior Planner
Date: September 1, 2021
Re: Escrow Deposit Fee Increase

In preparing for the budget for the next fiscal year, the County contacted WBK Engineering and asked if any fees were likely to increase. WBK Engineering advised the County that some fees would increase and suggested that the County raise the escrow deposit fee for stormwater management permit applications from One Thousand Two Hundred Dollars ($1,200) or two percent (2%) of the estimated cost of the proposed improvement whichever is greater to Two Thousand Dollars ($2,000) or two percent (2%) of the estimated cost of the proposed improvement whichever is greater. A copy of WBK Engineer's email is attached.

As far as Staff can tell, the escrow deposit fee has been One Thousand Two Hundred Dollars ($1,200) or two percent (2%) of the estimated cost of the proposed improvement whichever is greater since at least April 2009. The escrow deposit fee was mentioned in the County's original contract with WBK Engineering in April 2009. Prior to WBK Engineering's first contract in 2009, the escrow deposit fee was less than the present fee.

When the funds in an escrow account are depleted, WBK Engineering pursues escrow replenishments. Unspent funds are returned to the applicant when the permit or investigation is closed. Of the twenty-six (26) open escrow accounts, eight (8) have received escrow replenishments. It is very likely that at least one (1) additional project will require an escrow replenishment in the future.

Staff requests guidance as to how to proceed.

If you have any questions, please let me know.

MHA

Enc. August 16, 2021 WBK Engineering Email

Matt Asselmeier

From: Greg Chismark <gchismark@wbkengineering.com>
Sent: Monday, August 16, 2021 12:21 PM
To: Matt Asselmeier
Cc: Scott Koeppel
Subject: [External]RE: Budget Question

Matt,
Based on what I see in the industry our rates will likely increase. I am guessing somewhere between 3-5%. One suggestion is to increase the minimum fee for stormwater reviews. Since this is an escrow it really doesn't cost the applicant anything except the time value of the funds if they are not spent. On the other hand applicants are often frustrated when asked for more funds and it takes effort on our part to manage this process. My suggestion is $2,000. Again, it is only an escrow and not a fee.
Thoughts?
Greg

Greg Chismark P.E.
President

WBK Engineering, LLC
116 West Main Street, Suite 201, St. Charles, Illinois 60174
P: 630.443.7755 D: 630.338.8527

www.wbkengineering.com | Mediating the Built & Natural Environments | Part of the Mno-Bmadsen Family

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From: Matt Asselmeier <masselmeier@co.kendall.il.us>
Sent: Monday, August 16, 2021 10:28 AM
To: Greg Chismark <gchismark@wbkengineering.com>
Cc: Scott Koeppel <skoeppel@co.kendall.il.us>
Subject: Budget Question

Greg:

I am working on the budget for next year.

Do you foresee WBK changing any fees?

Also, have you heard if the State is going to change the NPDES permit fee? It has been $1,000 for many years.

Thanks,

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, IL 60560-1498
PH: 630-553-4139
Fax: 630-553-4179

KENDALL COUNTY
PLANNING, BUILDING & ZONING COMMITTEE MEETING
Oswego Township Office • 99 Boulder Hill Pass
Montgomery, IL • 60538
(630) 553-4141 Fax (630) 553-4179

AGENDA

Thursday, October 21, 2021 – 6:30 p.m.

CALL TO ORDER:

ROLL CALL: Elizabeth Flowers, Scott Gengler (Chairman), Judy Gilmour (Vice-Chair), Dan Koukol, and Robyn Vickers

APPROVAL OF AGENDA:

PUBLIC COMMENT:

NEW BUSINESS:

1. Introduction of Planning, Building and Zoning Department Staff
2. Overview of Zoning Ordinance
3. Overview of Noise Ordinance
4. Overview of Junk and Debris and Inoperable Vehicle Ordinances
5. Ordinance Enforcement Procedures

REVIEW VIOLATION REPORT:

REVIEW PRE-VIOLATION REPORT:

PUBLIC COMMENT:

ADJOURNMENT:

If special accommodations or arrangements are needed to attend this County meeting, please contact the Administration Office at 630-553-4171, a minimum of 24-hours prior to the meeting time.

Kendall County News Release

Kendall County
111 West Fox Street
Yorkville, IL 60560

KENDALL COUNTY PLANNING, BUILDING AND ZONING COMMITTEE TO HOLD MEETING IN BOULDER HILL

For Immediate Release – The Kendall County Planning, Building and Zoning Committee will be holding a special meeting focused solely on planning and zoning issues in Boulder Hill on October 21, 2021, at 6:30 p.m., at the Oswego Township Building at 99 Boulder Hill Pass.

The purpose of this meeting is to provide residents of Boulder Hill with information regarding local building and zoning regulations, information about the Planning, Building and Zoning Department, noise regulations, and information on how to submit complaints and concerns to the Planning, Building and Zoning Department. Representatives from Oswego Township have been invited to discuss highway and property maintenance issues.

“Boulder Hill is the largest unincorporated community in Kendall County,” said Scott Gengler, Chairman of the Kendall County Planning, Building and Zoning Committee. “The Committee would like to hear from residents of Boulder Hill and provide solutions regarding building and zoning concerns within the community.”

The October 21st meeting is open to the public and no RSVP is needed.

The Kendall County Planning, Building and Zoning Committee is a committee of the County Board, consisting of five County Board Members. Regular meetings of the Kendall County Planning, Building and Zoning Committee are held the Monday of the week prior to the second County Board meeting of each month at the County Office Building at 111 W. Fox Street in Yorkville.

For additional information, please contact Matthew Asselmeier at the Kendall County Planning, Building and Zoning Department at (630) 553-4139 or email at masselmeier@co.kendall.il.us.

###

2021 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V21-001	Tanner/CTLTC FNY2871	02-34-253-005			R-3 RV violations-multiple	12/10/2020	6/18/2021			6/22/2021
V21-002	BO Transmissions	03-12-251-001	1214 Route 30 Aurora		Junk & Debris	7/13/2020	1/10/2021			1/11/2021
V21-003	Jeff Crisci	01-05-203-003	16388 Galena Rd. Plano	Vil of Little Rock	Business w/o Zoning	12/10/2020	1/16/2021			2/2/2021
V21-004	VOID									
V21-005	Librado & Sharon Joaquin	03-27-377-015	2543 Simons Rd. Oswego		Building addition w/o permit	1/28/2021	3/5/2021			2/19/2021
V21-006	Antonio & Miriam Villasenor	03-04-408-025	92 Longbeach Rd. Montgomery	Boulder Hill	Multiple Violations	2/16/2021	3/18/2021			3/23/2021
V21-007	Old Second National Bank	02-34-227-001	8027 Van Emmon Rd. Yorkville		Multiple Violations	1/8/2021	5/3/2021			7/21/2021
V21-008	Salvador Gomez	09-27-200-004	2511 Wildy Rd. Minooka		Business w/o Zoning	3/10/2021	4/10/2021			4/12/2021
V21-009	Domingo Padilla	03-12-204-015	46 Gastville St. Aurora	Gastville	Business w/o Zoning	3/26/2021	4/26/2021			
V21-010	Benjamin Aguilar	02-16-226-011	68 Hunter Ln. Bristol		Multiple Violations	3/29/2021	4/29/2021			4/27/2021
V21-011	Mario & Linda Jimenez	09-21-100-010	3579 Bell Rd. Minooka		Shed - No Permit	3/29/2021	4/29/2021			5/18/2021
V21-012	Jeff Matyszka	01-25-456-005	4475 Mitchell Ct. Plano	Schaefer Woods	Business w/o Zoning	3/31/2021	4/30/2021			5/3/2021
V21-013	Elroy Ramirez	03-12-203-013	39 Gastville St. Aurora	Gastville	Business w/o Zoning	3/4/2021	6/7/2021			7/20/2021
V21-014	Luis Sanchez	03-12-203-011	29 Gastville St. Aurora	Gastville	Business w/o Zoning	3/4/2021	5/7/2021			7/21/2021
V21-015	Teofilo Quiroz	09-05-400-018	4080 Van Dyke Rd. Minooka		Fill in Flooplain	4/2/2021	5/7/2021			4/28/2021
V21-016	William & Kevin Graham	03-04-306-004	57 Circle Dr. E Montgomery	Boulder Hill	Junk & Debris	3/30/2021	5/8/2021			4/19/2021
V21-017	VOID									
V21-018	Sharp Holdings	07-05-400-007	16100 Newark Rd.		Fence co-burning debris	3/31/2021	5/10/2021			6/3/2021
V21-019	Guiterrez,DeJesus,	08-02-300-012	12830 Ashley Rd. Newark		Landscape business	5/4/2021	6/22/2021			6/1/2021
V21-020	Kavulich, Alison & Larry	02-35-380-002	5755 Fields Dr. Yorkville	FOFC	Prohibited Trailer parking	5/5/2021	6/4/2021			6/7/2021
V21-021	Doragon Properties Inc.	09-31-100-005	5681 Whitewillow Rd. Minooka		Special Use violation	5/17/2021	8/17/2021	9/1/2021		9/1/2021
V21-022	VOID									
V21-023	Strever, Jason & Brooke	01-19-477-006	3868 Sandy Bluff Rd. Plano	Sugarbrook Estates	Obstructing water flow-Fill	6/7/2021	7/23/2021			6/30/2021
V21-024	Wolfgast, Dirk & Janice	02-13-479-003	19 Center Dr. Oswego	Riverview Heights	Junk & Debris	3/22/2021	7/14/2021			7/14/2021

2020 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
20-001	JK Property,% Calder	05-21-300-002	9923 Walker Rd		Multiple Violations - No permits	11/7/2019	1/13/2020			3/9/2020
20-002	Graves	04-22-300-005	9312 Millbrook Rd		Zoning Setback violations	12/3/2019	12/16/2019			12/17/2019
20-003	Gonzalez	03-09-152-019	14 Ridgefield Rd.	Boulder Hill	Prohibited RV/trailer parking	12/4/2019	12/23/2019			12/24/2019
20-004	Cadena	03-03-352-004	140 Saugatuck Rd	Boulder Hill	Prohibited Banner Sign	12/11/2019	12/25/2019			12/30/2019
20-005	Municipal Bank%Besiri Adil	02-35-413-014	Audrey & Gilda Ct	FOFC	Prohibited Sign	12/11/2019	2/1/2020			3/16/2020
20-006	Municipal Bank%Besiri Adil	02-35-301-007	Fields Dr	FOFC	Prohibited Sign	12/11/2019	2/1/2020			3/16/2020
20-007	Johnson	03-04-477-025	54 Springdale Rd.	Boulder Hill	Prohibited Trailer parking	12/17/2019	1/31/2020			1/30/2020
20-008	Franzen	03-05-454-027	14 Scarsdale Rd.	Boulder Hill	Prohibited Boat parking	12/26/2019	2/18/2020			2/25/2020
20-009	Navarro	03-12-100-002	1026 Harvey Rd		Multiple Violations	11/26/2019	2/27/2020			7/6/2020
20-010	Drake	05-18-300-005	8751 C E. Highpoint Rd	Highpoint Hills	Operating Business in R-2	1/28/2020	3/6/2020			12/3/2020
20-011	Kubica Wieslaw	03-04-408-003	106 Tealwood Rd	Boulder Hill	Prohibited Commercial truck	1/31/2020	2/29/2020			3/11/2020
20-012	Chamberlain	03-05-454-028	3 Creve Ct.	Boulder Hill	Prohibited Trailer parking	1/31/2020	2/14/2020			2/4/2020
20-013	Robles	03-04-277-019	251 Fernwood Rd	Boulder Hill	Prohibited Commercial Vehicle	2/20/2020	3/5/2020			3/11/2020
20-014	Crisci	01-05-203-003	16388 Galena Rd		Prohibited Storage Business	3/4/2020	3/18/2020			8/5/2020
20-015	ERB Properties LLC	09-13-400-006	276 Route 52		Multiple Zoning Violations	3/6/2020	4/5/2020			5/6/2020
20-016	Campos	03-08-303-001	117 Dolores St.	Shore Heights	Prohibited Trailer parking	3/3/2020	3/26/2020			6/10/2020
20-017	Henn	03-08-280-008	16 Cebold Dr.	Boulder Hill	Inoperable Vehicle	3/18/2020	4/24/2020			6/11/2020
20-018	Fox Valley Homes LLC	03-05-404-007	114 Boulder Hill Pass	Boulder Hill	Inoperable Vehicle	3/18/2020	4/1/2020			10/29/2020
20-019	Stukas	03-05-428-002	29 Circle Dr. E	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			6/10/2020
20-020	Ortiz	03-04-303-008	42 Circle Dr. E	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			3/25/2020
20-021	Evans	03-04-278-035	134 Heathgate Rd	Boulder Hill	Inoperable Vehicle	3/19/2020	4/2/2020			6/10/2020
20-022	Wargo	03-04-477-038	80 Springdale Rd	Boulder Hill	Junk & Debris	3/19/2020	4/2/2020			6/10/2020
20-023	Kubica Wieslaw	03-04-408-003	106 Tealwood Rd	Boulder Hill	Prohibited semi tractor parking	3/19/2020	4/2/2020			6/10/2020
20-024	Velasquez	01-20-352-018	84 Woodland Dr	Sugarbrook Estate	Stormwater & Junk and Debris	4/28/2020	5/29/2020			8/25/2020
20-025	Sec of Veteran Affairs	05-05-103-002	14 Maple Street	Fox Lawn	Multiple Violations	6/15/2020	12/31/2020			Covid Hold
20-026	Niles	08-02-402-002	94 Pletcher Dr	Plattville	Stormwater/Culvert built	6/18/2020	7/20/2020			7/31/2020
20-027	Hansel Ridge, LLC	09-13-200-002	195 Route 52		Multiple Violations	7/17/2020	9/22/2020			10/21/2020
20-028	King	03-04-378-039	43 Saugatuck Rd	Boulder Hill	Fence Violation	7/22/2020	8/22/2020			8/28/2020
20-029	Anicich	03-27-301-002	3195 Plainfield Rd		Sign - No permit	7/30/2020	8/29/2020			8/28/2020
20-030	Braves%Jarrett Realty	03-08-230-005	38 Old Post Rd	Boulder Hill	Pool - No permit	7/24/2020	9/3/2020			9/2/2020
20-031	Ramirez	06-14-200-003	1152 Route 126		Deck - No permit	8/20/2020	10/23/2020			10/20/2020
20-032	Gates / Cox Landscaping	02-27-151-003	9000 Route 34	Bakers	Possible Landscaping Business	8/20/2020	10/19/2020			1/21/2021
20-033	Oliver/Balog	03-26-300-007	Lot 22	Red Hawk Landing	Possible Gun Range	8/26/2020	9/28/2020			9/28/2020
20-034	Staudacher Family Trust	02-21-200-014	9155 Kennedy Rd		Stormwater Violation	9/16/2020	10/19/2020			10/16/2020
20-035	Wieschhaus	02-21-200-028			Stormwater Violation	9/21/2020	11/13/2020			11/19/2020
20-036	Marmolejo	03-08-253-007	10 Ashlawn Ave	Boulder Hill	Driveway - No Permit	10/7/2020	10/21/2020			12/10/2020
20-037	Briscoe	09-13-200-006	192 Route 52	see V20-027	Multiple Zoning Violations	10/20/2020	11/19/2020			12/14/2020
20-038	Plainfield Board of Education	06-23-200-004	Wheeler Rd		Multiple Zoning Violations	10/22/2020	11/22/2020			12/3/2020
20-039	Moreno, Luis & Cesario	09-09-100-002	13039 McKanna Rd		Trucking Business in A-1 zoning	10/22/2020	1/15/2021			1/11/2021
20-040	Martinez	03-05-432-007	13 Durango Rd	Boulder Hill	Landscape Bus/Commercial Vehicle inR-6	10/22/2020	1/8/2021			1/14/2021
20-041	Neal	03-04-456-001	3 Wembley Rd	Boulder Hill	Prohibited Trailer parking	8/11/2020	11/28/2020			12/3/2020
20-042	Amwoza	03-09-155-021	303 Boulder Hill Pass	Boulder Hill	Junk & Debris/Prohibited Parking	7/13/2020	11/28/2020			1/14/2021
20-043	Cushing	03-04-306-007	63 Circle Dr. E	Boulder Hill	Prohibited Boat parking	9/10/2020	11/28/2020			12/21/2020
20-044	Seidelman	03-04-303-014	10 Marnel Rd.	Boulder Hill	Inoperable Vehicle	9/25/2020	11/28/2020			12/3/2020
20-045	Voirin	02-35-312-002	7768 Madeline Dr	FOFC	Building w/o permit	10/26/2020	12/2/2020			11/10/2020
20-046	Ratiu	02-27-328-007	56 Riverside Dr	Fox River Garden	Junk & Debris	8/11/2020	1/15/2021			12/28/2020
20-047	Whaley	02-35-380-005	5727 Fields Dr	FOFC	Prohibited camper parking	10/23/2020	12/2/2020			12/3/2020
20-048	Moran	03-04-476-019	93 Longbeach Rd	Boulder Hill	Inoperable Vehicles	7/7/2020	12/2/2020			2/16/2021
20-049	Ybarra	03-05-276-021	29 Aldon Rd	Boulder Hill	Inoperable Vehicle	9/2/2020	12/2/2020			2/16/2021

2019 VIOLATIONS

Violation	Name	Parcel #	Address	Subdivision	Description	Opened	Follow up	PBZ	SAO	Closed
V19-001	Coonley	03-04-428-001	162 Heathgate Rd	Boulder Hill	Junk & Debris	12/19/2018	1/13/2019			2/21/2019
19-002	Peaslee	03-09-108-011	148 Circle Dr East	Boulder Hill	Zoning Violation - Fence	12/21/2018	2/1/2019			2/21/2019
19-003	Staggs	02-31-477-005	4 Poplar Rd	Foxlawn	Chickens in R-4 Zoning	12/28/2018	1/11/2019			1/11/2019
19-004	Whitlock	03-04-476-035	82 Paddock St	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	1/18/2019			1/18/2019
19-005	Butz	03-04-476-030	72 Paddock St	Boulder Hill	Prohibited parking - boat/trailer	1/3/2019	2/28/2019			2/28/2019
19-006	Alfaro/Vargas	03-04-477-009	61 Paddock St.	Boulder Hill	Prohibited parking - trailer	1/3/2019	1/18/2019			1/18/2019
19-007	Kubica/Mszal	03-04-376-057	74 Sierra	Boulder Hill	Prohibited pkg com vehicles	1/3/2019	3/28/2019			4/11/2019
19-008	Fletcher	03-03-351-001	63 Sonora Dr	Boulder Hill	Prohibited Motor Home pkg	1/3/2019	1/29/2018			1/28/2019
19-009	Green/Gaither	03-04-329-013	33 Whitney Way	Boulder Hill	Prohibited pkg com vehicle	1/3/2019	1/18/2019			1/18/2019
19-010	Jordan	03-04-480-011	130 Saugatuk	Boulder Hill	Prohibited parking -boat/trailer	1/3/2019	1/18/2019			1/18/2019
19-011	Bravo	03-08-227-032	15 Old Post Rd	Boulder Hill	Multiple Violations	1/3/2019	1/18/2019			1/19/2018
19-012	Machado	03-04-329-012	31 Whitney Way	Boulder Hill	Multiple Violations	1/3/2019	4/15/2019			4/8/2019
19-013	Amador	03-05-404-017	134 Boulder Hill Pass	Boulder Hill	Prohibited parking/surface	1/4/2019	1/29/2019			1/11/2019
19-014	ERB Properties, LLC	09-13-400-006	276 Route 52		Possible Landscape Business	1/10/2019	6/18/2019			6/20/2019
19-015	Sasso	09-36-300-004	660 Holt Rd		Possible Landscape Business	1/10/2019	2/15/2019			2/14/2019
19-016	Hardekopf	03-04-253-010	44 Ingleshire Rd	Boulder Hill	Junk & Debris	1/11/2019	9/9/2019			9/10/2019
19-017	Lozano/Nolasco	03-05-404-023	146 Boulder Hill Pass	Boulder Hill	Illegal parking /Commercial vehicle	2/7/2019	2/21/2019			3/14/2019
19-018	Hagemeyer	03-04-352-021	172 Boulder Hill Pass	Boulder Hill	Prohibited Parking - rec vehicle	2/7/2019	2/21/2019			2/13/2019
19-019	Bodnar	08-29-200-005	16296 Route 47		Junk & Debris	2/28/2019	12/16/2019			3/2/2020
19-020	Kline	03-04-277-017	247 Fernwood Rd	Boulder Hill	Junk & Debris	3/7/2019	3/21/2019			3/22/2019
19-021	Penley	03-04-377-014	73 Sierra Rd	Boulder Hill	Prohibited Parking - Semi Truck	3/11/2019	3/25/2019			3/25/2019
19-022	Flores	08-11-100-014	7701 Plattville Rd		Multiple Violations	3/13/2019	4/22/2019			7/10/2019
19-023	Mayhugh	03-04-377-009	63 Sierra Rd	Boulder Hill	Prohibited Trailer Parking	3/26/2019	4/22/2019			4/16/2019
19-024	Cerbebrus SFR Holdings	03-04-377-015	75 Sierra Rd	Boulder Hill	Prohibited Trailer Parking	3/26/2019	5/24/2019			5/22/2019
19-025	Ruiz	03-03-352-001	132 Saugatuck Rd	Boulder Hill	Prohibited Commercial Vehicle parkin	3/26/2019	5/1/2019			5/15/2019
19-026	Hornbaker	03-04-377-018	31 Saugatuck Rd	Boulder Hill	Prohibited Boat Parking	3/27/2019	9/9/2019			8/27/2019
19-027	Espino / Castillo	03-04-351-012	22 Durango Rd	Boulder Hill	Prohibited Semi Parking	3/28/2019	4/11/2019			4/11/2019
19-028	Graham	03-04-306-004	57 Circle Dr E	Boulder Hill	Junk & Debris	3/28/2019	5/23/2019			5/28/2019
19-029	Del Toro	03-04-305-016	52 Circle Dr E	Boulder Hill	Prohibited Trailer Parking	3/29/2019	4/22/2019			4/29/2019
19-030	Swanson	03-08-202-003	44 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	4/12/2019	8/12/2019			8/12/2019
19-031	Old 2nd/Tanner	03-07-231-006	101 Harbor Dr	Marina Terrace	Junk & Debris	4/16/2019	4/30/2019			4/29/2019
19-032	Sharp	03-09-155-009	139 Circle Dr W	Boulder Hill	Prohibited Trailer Parking	4/15/2019	4/29/2019			5/3/2019
19-033	C. Motter Properties	02-35-300-013	7842 Route 71		Illegal Banner Sign	4/15/2019	5/8/2019			5/6/2019
19-034	Zedrow	03-08-230-015	19 Somerset Rd	Boulder Hill	Building w.o Permit	4/15/2019	4/29/2019			4/23/2019
19-035	Hansen	03-08-230-011	7 Somerset Rd	Boulder Hill	Inoperable Vehicle	4/16/2019	7/15/2019			8/14/2019
19-036	Gonzalez	03-09-152-019	14 Ridgefield Rd	Boulder Hill	Prohibited Trailer parking	4/16/2019	4/30/2019			5/3/2019
19-037	Roman	03-04-378-023	50 Hubbard Way	Boulder Hill	Prohibited parking on grass	4/24/2019	5/8/2019			5/13/2019
19-038	Reyes	03-04-378-026	56 Hubbard Way	Boulder Hill	Prohibited parking on grass	4/24/2019	5/8/2019			5/13/2019
19-039	Michel	07-18-400-001	17510 Fern Dell Rd		Accessory Bldg w/o Permit	4/29/2019	6/1/2019			6/3/2019
19-040	Hall	03-09-151-010	32 Somerset Rd	Boulder Hill	Prohibited Trailer Parking	4/30/2019	6/1/2019			6/4/2019
19-041	Guijosa	07-24-200-003	15285 Route 52		Building w.o Permit	4/30/2019	6/1/2019			5/29/2019
19-042	Marmalejo	03-08-253-007	10 Ashlawn Ave	Boulder Hill	Prohibited Trailer Parking	5/1/2019	6/30/2019			7/9/2019
19-043	Erickson	03-08-230-021	35 Somerset Rd	Boulder Hill	Prohibited Boat Parking	5/1/2019	6/18/2019			7/24/2019
19-044	Kavulich	02-35-380-002	5575 Fields Dr	FOFC	Prohibited Boat Parking	5/8/2019	6/3/2019			6/4/2019
19-045	Garay / Juarez	03-19-203-002	5408 Rt. 71		Multiple Violations	5/9/2019	12/3/2019			12/16/2019
19-046	Muniz	09-18-300-016	14674 Brisbin Rd		Multiple Violations	5/9/2019	8/1/2019			7/30/2019
19-047	Johnson	05-02-101-002	324 Austin Ct	FOFC	Prohibited Trailer Parking	5/14/2019	5/28/2019			6/21/2019
19-048	Ring	06-02-177-007	1551 Cherry Rd		Junk & Debris	5/15/2019	10/15/2019			10/22/2019
19-049	Martinez	03-12-100-004	1038 Harvey Rd		Multiple Violations	5/13/2019	8/1/2019		2/27/2020	

Court
9/21/21

2018 VIOLATIONS

V18-099	Auer	02-06-400-005	West Beecher Rd		Stormwater Violation	11/14/2018	12/14/2018			11/20/2018
V18-100	Schmidt	03-07-252-012	120 Augusta Rd		Junk & Debris	11/14/2018	7/31/2019			
V18-101	Coulouris & Dublin	02-15-177-005	2480 A Bristol Rdg Rd		Multiple Violations	11/19/2018	12/14/2018			12/21/2018
V18-102	Allen	09-04-300-017	3827 Van Dyke Rd		Mobile Home Violation	11/21/2018	12/2/2019			11/13/2019

- Yard cut + some removal

PRE-VIOLATION REPORT
2021

Date Opened	Parcel #	Address	Subdivision	Description of Complaint	Inspection Date	Comments	F/Up	Closed	Violation
12/1/2020	03-08-280-022	8 Barclay Ct. Montgomery	Boulder Hill	Animals living in shed	12/3/2020	No evidence of animals		12/3/2020	N
12/3/2020	03-04-454-020	73 Saugatuck Rd	Boulder Hill	House Fire	12/3/2020	Applied for BP #19-2021-016	1/5/2021	1/11/2021	N
12/8/2020	02-34-176-003	34 Riverside St. Yorkville	Fox River Gardens	Remodeling w/o permit-bus out of home	12/8/2020	Remodeling permit not required		12/8/2020	N
12/9/2020	09-33-300-003	3526 Holt Rd. Minooka		Banquet business - Rustic Roots	12/16/2020	Not enough evidence		12/16/2020	N
12/14/2020		8045 Van Emmon Rd. Yorkville	Hideaway Lakes Campground	No water for 4 days		Referred to Il Dept of Health		12/15/2020	N
1/7/2021	02-27-401-002	8045 Van Emmon Rd. Yorkville		Construction - no permit	1/14/2021	New Owner-cosmetic work		1/14/2021	N
1/12/2021	03-05-432-014	32 Seneca Dr. Montgomery	Boulder Hill	Garage Fire	1/7/2021	Applied for BP 03-2021-020		1/14/2021	N
1/14/2021	02-34-276-003	8042 Van Emmon Rd.		Shed building w/o permit	1/18/2021	2nd shed	2/21/2021	3/24/2021	N
2/5/2021	03-08-202-005	48 Circle Drive W. Montgomery	Boulder Hill	Trailer in driveway	2/11/2021	Trailer not in setback area		2/16/2021	N
2/9/2021	03-04-153-016	53 Fernwood Rd. Montgomery	Boulder Hill	Trailers parked in front yard setback	2/11/2021	Trailer is gone		2/16/2021	N
3/2/2021	01-16-401-004	96 N. Linden Dr. Plano	Meyerbrook	Shed-fence encroachment on neighbor	3/15/2021	Only the Fence encroaches-civil matter		3/15/2021	N
3/2/2021	01-19-301-005	17879 Frazier Rd. Sandwich	Lett	Autobody shop business	3/12/2021	Hobby - Appl Home Occupation		4/6/2021	N
3/2/2021	04-31-200-007	11090 Crimmins Rd. Newark		Junk/Trash all over	3/9/2021	Trash pit	3/25/2021	4/6/2021	N
3/2/2021	01-05-203-003	16388 Galena Rd. Plano		Midwest Storage business	3/9/2021	Several containers have returned	4/1/2021	5/3/2021	
3/11/2021	02-35-401-001	5617 Fields Dr. Yorkville	FOFC	Possible remodel w/o permit	3/18/2021	Water damage - Cosmetic repair		3/23/2021	N
3/15/2021	03-20-400-018	3842 Grove Rd. Oswego		Possible Business	3/18/2021	Unable to confirm-no sign or website		3/30/2021	N
3/22/2021	03-01-331-001	03-01-331-001		Homeless Camp	3/24/2021	City of Aurora		4/8/2021	
3/23/2021	03-05-326-005	716 Route 25 Oswego	Sunset View Estates	Fence in front yard	4/22/2021	Closed per BLH		4/22/2021	
3/25/2021	03-04-428-006	172 Heathgate Rd.	Boulder Hill	RV Parked in Req f/yard setback	3/25/2021	Trailer is gone		4/2/2021	N
3/29/2021	03-08-303-001	117 Dolores St. Oswego	Shore Heights	Possible Business-Trailers - Inop Vehicles	4/2/2021	Trailer and vehicles removed		5/3/2021	N
3/30/2021	08-26-300-006	7645 Whitewill Rd. Minooka		Barn Addition - No permit	4/2/2021	Closed - Incorrect parcel		4/20/2021	N
3/30/2021	09-04-300-005	3610 Van Dyke Rd. Minooka		New Structure/Inoperable Vehicle	4/2/201	Meeting w/ Brian	4/14/2021	4/14/2021	N
3/30/2021	03-07-431-008	119 Dolores St. Oswego	Shore Heights	Inoperable Vehicles/Junk & Debris	4/2/2021	See notes- no violations seen		4/21/2021	N
3/30/2021	03-07-429-014	134 Dolores St. Oswego	Shore Heights	Inoperable Vehicles	4/2/2021	Vehicles are operable by definition	4/28/2021	4/28/2021	N
3/30/2021	03-08-303-007	105 Dolores St. Oswego	Shore Heights	Inoperable Camper	4/2/2021	Inoperable Camper		6/5/2021	N
4/5/2021	03-35-451-002	1400 Plainfield Road	County Clerks	Rental Unit - Horses in R3	4/7/2021	Renter moved out-closed	4/19/2021	4/19/2021	
4/5/2021	03-04-455-007	68 Saugatuck Rd	Boulder Hill	Non compliant 8 ft fence	4/8/2021	Filed for variance-Denied-fence was shortened	6/3/2021	7/21/2021	
4/6/2021	05-18-400-011	8756 E. Highpoint Rd.		Operating a landscaping bus/Junk& Debris	4/27/201	Inspected property-met w/owner	4/9/2021	4/27/2021	N
4/8/2021	03-05-404-030	11 Greenfield Rd.	Boulder Hill	Driveway w/o permit	4/8/2021	Replacement of existing		4/8/2021	N
4/9/2021	02-34-130-004	55 Riverside St	Fox River Gardens	Fill being placed - Dump trucks	4/14/2021	No piles over 3ft seen		4/14/2021	N
4/13/2021	03-04-151-007	56 Fernwood Rd.	Boulder Hill	Multiple violations	4/15/2021	Trailers and junk removed		4/19/2021	
4/13/2021	02-35-380-012	7584 Madeline Dr.	Fields of Farm Colony	Trailer in driveway	4/15/2021	Left paperwork N/A	5/24/2021	5/24/2021	N
4/13/2021	03-04-180-002	115 Fernwood Rd.	Boulder Hill	Trailer in front yard setback	4/15/2021	N/A Trailer in dirt	5/24/2021	5/24/2021	N
4/14/2021	03-12-204-002	4 Gastville St.	Gastville	Business operating out of residence	3/28/2021	Allowed in M-1 zoning		4/28/2021	N
4/14/2021	03-12-204-009	38 Gastville St.	Gastville Acreage	Landscaping business out of residence	5/3/2021	No evidence of business		5/4/2021	N
4/14/2021	03-12-204-006	24 Gastville St.	Gastville	Business operating out of residence	4/28/2021	Grandfathered permitted use R-3		4/28/2021	N
4/14/2021	03-12-203-009	17 Gastville St.	Gastville	Chickens in R-3 zoned property	4/28/2021	Unable to view chickens		4/28/2021	N
4/14/2021	03-12-203-015	3 Gastville St.	Gastville	Kames Construction business in R-3	4/28/2021	Storage of personal truck in bldg		4/28/2021	N
4/14/2021	03-12-203-014	47 Gastville St.		Painting business in R-3 zoning	4/28/2021	Home Occupation		4/28/2021	N
4/14/2021	03-12-204-004	22 Gastville St.	Gastville Acreage	Curtis Garage business in R-3 zoning	4/28/2021	Home Occupation		4/28/2021	N
4/14/2021	03-12-204-005	26 Gastville St.	Gastville Acreage	Andeles Landscaping business	5/30/2021	Removed from residence	7/2/2021	6/16/2021	N
4/14/2021	09-18-300-016	Brisbin Rd. Minooka		Burning landscape business debris	4/15/2021	Gate - Nely Landscaping	5/30/2021	6/28/2021	N
4/15/2021	02-28-403-005	804 McHugh Rd. Yorkville		Junk & Debris	4/15/2021	No Junk & Debris seen		4/19/2021	N
4/15/2021	02-29-300-008	River Rd.		Gunfire at campground	4/13/2021	Not a violation of SU Permit		4/23/2021	N
4/20/2021	02-01-300-008	Garza, Oscar & Juanita	Probst	Junk & Debris - weeds	5/3/2021	Bristol Township matter		5/10/2021	
4/27/2021		100 blk of Heathgate (171)	Boulder Hill	Structure Fire	4/26/2021	Pics taken	7/1/2021	Awaiting on Permit	
4/27/2021	03-07-403-001	187 Dolores St. Oswego	Shore Heights	Junk & Debris	5/30/2021	Scrap metal in driveway - met w Brian		6/3/2021	N
4/28/2021	02-35-413-021	5847 Audrey Ave Yorkville	FOFC	Deck construction w/o permit	4/28/2021	Remodeling permit not required		4/28/2021	N
4/28/2021	04-09-200-002	7179 Fox River Dr.	Millbrook	Granite company	4/30/2021	Display and stone are gone		5/18/2021	N
4/28/2021	03-09-108-005	136 Circle Drive E, Montgomery	Boulder Hill	Inoperable Vehicle	5/30/2021	Vehicle is operable		6/3/2021	N
4/28/2021	09-23-200-011	15423 Ridge Rd. Minooka		Dumping of debris and burning on site	7/4/2021	Didn't see active burning or dumping		7/6/2021	N
5/4/2021	03-31-477-004	16 Chippewa Dr. Oswego	Na-Au-Say Woods	Abandoned Property	5/5/2021	Referred to Oswego Township		5/5/2021	N
5/4/2021	02-13-478-005	39 W Pleasantview Dr Oswego	Riverview Hts	Horse in R-3 Zoning	5/9/2021	No Horse observed		5/10/2021	N

PRE-VIOLATION REPORT
2021

5/4/2021	03-32-131-006	5465 Half Round Rd. Oswego	Old Reserve Hills	Building w/o permit	5/9/2021	No visible sign of remodeling		5/10/2021	N
5/4/2021	03-04-401-003	21 Boulder Hill Pass Montgomery		Junk & Debris	5/6/2021	Junk & Debris gone-B3 Outdoor storage allowed		5/13/2021	N
5/4/2021	03-04-428-006	172 Heathgate Rd.	Boulder Hill	Camper in req front yard setback	5/6/2021	talked to owner- preparing for a trip	5/10/2021	5/19/2021	N
5/4/2021	03-04-151-007	56 Fernwood Rd. Montgomber	Boulder Hill	Junk & Debris	5/6/2021	Lots of garbage- owner cleaned it up	6/13/2021	6/14/2021	N
5/5/2021	02-27-177-013	8940 D Route 34 Yorkville	Bakers	Possible business w/ employees		Home Occupation		5/19/2021	N
5/5/2021	03-07-427-004	103 Augusta Rd. Oswego	Shore Heights	Junk & Debris	5/6/2021	Junk & Debris	7/16/2021	7/21/2021	N
5/6/2021	02-33-402-017	54 Woodland Dr.	The Woodlands	Inoperable Vehicles	5/15/2021	Cadillac still there-other vehicles are gone	6/21/2021	7/21/2021	N
5/10/2021	03-04-452-020	68 Amesbury Rd. Montgomery	Boulder Hill	Semi Parking	5/15/2021	Semi Gone	6/17/2021	6/22/2021	N
5/10/2021	02-35-301-002	335 Austin Ct. Yorkville	FOFC	Boat in Front yard	5/15/2021	Boat still in driveway	6/16/2021	6/16/2021	N
5/11/2021	03-04-326-006	54 Marnel Rd. Montgomery	Boulder Hill	Semi Tractor	5/15/2021	Semi Gone	6/17/2021	6/22/2021	N
5/11/2021	03-04-181-022	5 Ingleshire Ct. Montgomery	Boulder Hill	Camper in back yard-uses	5/15/2021	Camper Gone	6/17/2021	6/22/2021	N
5/12/2021	03-16-176-006	Wolf Rd. Oswego	Fox Bend Estates	Junk & Debris-Truckloads of dirt	5/24/2021	small pile - no debris in creek		5/25/2021	N
5/14/2021	02-27-380-001	53 Riverside Dr. Yorkville	Fox River Gardens	Trucks dumping & burning	5/24/201	No trash or debris		5/24/2021	N
5/14/2021	03-07-177-005	5613 Commerce Rd. Oswego		Truck Co - poss no access permit	5/20/2021	Sent to Oswego Township Highway Dept		5/21/2021	N
5/17/2021	05-02-126-002	7595 Audrey Ave. Yorkville	Rosehill	Deck - No permit	5/17/2021	Deck Board and trim replacement only		5/21/2021	N
5/18/2021	01-16-427-001	N. Linden Dr. Plano	Meyerbrook	Junk & Debris	5/24/2021	Boats & Vehicles stored on property		5/24/2021	N
5/20/2021	09-09-100-002	13039 McKanna Rd.		Possible Trucking Company	5/24/2021	Spoke to owner- family has 2 trucks-ok in A-1		5/24/2021	N
5/20/2021	03-12-203-010	21 Gastville St. Aurora	Gastville Acreage	Duplex - SF	5/24/2021	Legal Non-Conforming since 1980		6/7/2021	N
5/25/2021	03-08-202-027	9 Guilford Rd. Montgomery	Boulder Hill	RV Parking	6/5/2021	Gone		6/5/2021	N
5/26/2021	03-23-226-003	3060 Roth Road Oswego		Multiple violations	6/5/2021	No business-Junk & Debris gone		6/14/2021	N
5/28/2021	06-13-127-003	21 Betty Lane Plainfield	Evergreen Grove	Inground pool no permit	6/17/2021	Existing Pool		6/17/2021	N
6/2/2021	03-05-253-032	0 Boulder Hill Pass Montgomery		Construction noise 6am		Refer to Sheriff's office if caller needs assist		6/3/2021	N
6/3/2021	03-04-378-019	83 Pueblo Rd Montgomery	Boulder Hill	Junk & Debris	6/5/2021	Pics taken-looks good		6/5/2021	N
6/3/2021	03-12-204-005	26 Gastville St.	Gastville	Roosters	6/5/2021	Spoke to owner-No roosters allowed		6/5/2021	N
6/7/2021	05-07-451-003	69 W Timbercreek Dr. Yorkville	Timbercreek	Building w/o permit	6/13/2021	Screened in patio-no permit req		6/14/2021	N
6/8/2021	02-13-429-004	15 Clark Avenue, Oswego	Owners	Multiple violations	6/13/2021	Spoke to homeowners	6/13/2021	6/16/2021	N
6/10/2021	03-05-402-006	5 S. Bereman Rd. Montgomery	Boulder Hill	Parking on grass / Junk & Debris	6/21/2021	2nd Notice - Parking on Grass	7/21/2021	8/31/2021	N
6/16/2021	05-07-328-005	44 Timbercreek Dr. Yorkville	Timbercreek	Farm Animals	6/13/2021	No evidence of farm animals		6/16/2021	N
6/16/2021	03-12-204-005	26 Gastville St.	Gastville	Roosters	6/13/2021	Spoke with Owner		6/16/2021	N
6/21/2021	03-04-479-023	113 Saugatuck Rd	Boulder Hill	Multiple dwellings	7/2/2021	Spanish speaking - home office		7/6/2021	N
6/21/2021	03-04-377-019	39 Longbeach Rd.	Boulder Hill	Semi Parking	7/2/2021	No Semi on property		7/6/2021	N
6/24/2021	06-05-151-005	59 W. Timberlake Trl, Oswego	Arrowhead Hills	Pool,Access bldg & deck- no permit	6/23/2021	Permits applied for and issued		7/21/2021	N
6/28/2021	03-19-176-004	5505 Route 71 Oswego		Chicken coops	6/29/2021	No violations		6/29/2021	N
6/28/2021	03-04-306-004	57 Circle Drive East	Boulder Hill	Junk & Debris in backyard	7/11/2021	No garbage - debris on trailer for scrap		7/20/2021	N
6/29/2021	03-07-430-014	139 Dolores St. Oswego	Shore Heights	Multiple violations	7/4/2021	Notices sent - Owner says they are moving	8/10/2021	8/31/2021	
6/30/2021	05-12-227-001	6256 Whitetail Ridge Ct.	Whitetail Ridge	Possible stormwater issue	7/11/2021	Unable to determine 7/14/2021 / Confirmed		8/12/2021	N
7/5/2021	03-32-135-008	5480 Half Round Rd. Oswego	Old Reserve Hills	Possible Business in R-3 zoning	7/11/2021	No Evidence		7/14/2021	N
7/5/2021	02-11-252-002	62 W Highlands Dr. Bristol	Storybrook Highlands	Business in R-3 zoning	7/11/2021	Letter sent 7/21/2021	8/31/2021	8/31/2021	N
7/6/2021	06-06-251-009	29 Chippewa Ct. Oswego	Na-Au-Say Woods	Storage Pods	7/24/2021	Storage pods removed		7/19/2021	N
7/6/2021	03-04-302-004	24 Hampton Rd. Montgomery	Boulder Hill	Junk & Debris	7/11/2021	Removed		7/14/2021	N
7/7/2021	05-21-300-002	9923 Walker Rd. Yorkville		Junk & Debris	7/11/2021	Pics taken- letter sent to discuss	7/20/2021	8/5/2021	N
7/7/2021	09-05-400-012	4063 Van Dyke Rd. Minooka		Possible Banquet Facility	7/11/2021	Unable to access-no advertisement		7/14/2021	N
7/9/2021	08-11-100-014	7701 Plattville Rd. Newark		Possible occupied RV/trailers	7/14/2021	Weekend occupy only		7/15/2021	N
7/9/2021	03-07-227-002	vicinity of 5327 Light Rd. Oswego		Illegal dumping and stormwater violations	7/11/2021	No evidence		7/21/2021	N
7/14/2021	03-05-429-008	18 Greenfield Rd.	Boulder Hill	Auto Repair Business	7/16/2021	No evidence of business-tow truck in driveway		7/20/2021	N
7/16/2021	05-08-176-010	57 Nawakwa Ln. Yorkville	Nawakwa	tormwater drainage issue since Access bldg bui	7/20/2021	No evidence - site visit	7/20/2021	7/20/2021	N
7/16/2021	01-36-200-009	12300 River Rd. Plano	River Glen	Business sign in front yard ROW	8/4/2021	Township to remove sign		8/4/2021	
7/19/2021	03-04-378-018	81 Pueblo Rd.	Boulder Hill	Auto Repair Business	7/21/2021	No garage to have repair business-noted in Dev Net		7/21/2021	N
7/27/2021			Boulder Hill	Farm Animals	8/3/2021	unable to locate property that has farm animals		8/3/2021	N
8/3/2021	02-13-353-001	9 Riverwood Lane Oswego	Riverwood Farms	Poss. Business / Junk & Debris	8/11/2021	no evidence observed or found of a business		8/11/2021	N
8/3/2021	02-13-452-002	4 Hickory Ln. Oswego	Serenity on the Fox	Inoperable tarped vehicle	8/11/2021	tarped vehicle appears operable		8/11/2021	N
8/3/2021	02-13-451-009	112 W. Pleasantview Dr. Oswego	Serenity on the Fox	Business-Box trucks-trailers	8/11/2021	No evidence of business-junk in trailer for scrap		8/11/2021	N
8/4/2021	03-04-178-008	17 Ingleshire Rd. Montgomery	Boulder Hill	Inoperable Vehicle-Auto repair shop	8/3/2021	Vehicle Removed		9/1/2021	N
8/5/2021	02-21-200-014	9155 Kennedy Rd. Yorkville		Fill - Stormwater	8/5/2021	Emailed Matt		8/5/2021	N
8/6/2021	03-04-306-004	57 Circle Drive East Montgomery	Boulder Hill	Junk & Debris- poss. Business	8/11/2021	Junk to be recycled		8/11/2021	N

PRE-VIOLATION REPORT
2021

8/10/2021	04-30-400-013	10978 Crimmins Rd. Newark		Contractor & Trucking Company	8/12/2021	Address - Ryan Excavating-Unable to obtain evidence		8/12/2021	
8/11/2021	03-04-456-0010	94 Saugatuck Rd. Montgomery	Boulder Hill	Auto Repair Business	7/2/2021	30 day & 14 day notices sent Reg & Cert-No evidence	8/11/2021	8/31/2021	
8/11/2021	03-04-428-001	162 Heathgate Rd. Montgomery	Boulder Hill	Multiple violations	7/1/2021	30 day & 14 day notices sent Reg & Cert	8/10/2021	8/31/2021	N
8/16/2021	09-09-100-002	13039 McKanna Rd.		Trucking business	8/30/2021	Previous emails with owners -not enough evidence		8/31/2021	N
8/18/2021	03-04-277-042	40 Afton Rd. Montgomery	Boulder Hill	Junk&Debris/Tall Grass	8/25/2021	No visible Junk&debris-refered grass to Township & HHD		8/25/2021	N
8/20/2021	03-05-427-003	9 S Greenbriar Rd	Boulder Hill	Chickens/Rooster	8/25/2021	No evidence of chickens/roosters		8/25/2021	N
8/20/2021	03-05-426-014	28 Circle Dr. E	Boulder Hill	Chickens/Rooster	8/25/2021	No evidence of chickens/roosters		8/25/2021	N

DEPARTMENT OF PLANNING, BUILDING & ZONING
111 West Fox Street • Room 204
Yorkville, IL • 60560
(630) 553-4141 Fax (630) 553-4179

MEMORANDUM

To: Planning, Building and Zoning Committee
From: Matthew H. Asselmeier, AICP, CFM, Senior Planner
Date: September 1, 2021
Re: Historic Structure Survey in Kendall and Bristol Townships

After becoming a Certified Local Government, the Kendall County Historic Preservation Commission spent several meetings discussing their next projects. The Commission favored doing historic structure surveys in preparation for doing a preservation plan for the County. The Commission researched firms that conduct structure surveys and met with a representative of Wiss, Janney, Elstner Associates, Inc. (WJE) to discuss the process. WJE previously did structure surveys for unincorporated Will and Kankakee Counties. The Commission requested WJE prepare a proposal to do a structure survey in Bristol and Kendall Townships. The surveys would be for the unincorporated area only and would not include Helmar.

As noted in the attached proposal, the cost to survey Kendall Township would be Thirty Thousand Dollars ($30,000). The cost to survey Bristol Township would be Fifteen Thousand Dollars ($15,000). The cost to survey both townships simultaneously would be Forty-Two Thousand Five Hundred Dollars ($42,500). The estimate included an assumption that some volunteer labor by Commissioners and other parties interested in historic preservation would be provided.

At their meeting on August 16, 2021, the Commission unanimously recommended surveying both townships as their first choice, surveying Kendall Township only as their second choice, and surveying Bristol Township only as their third choice.

The County would apply for a Certified Local Government grant to cover a portion of the project's cost. Historically, these grants covered seventy percent (70%) of the project's costs. The County would be responsible for covering the remaining thirty percent (30%). Staff and volunteer time and can be used to cover a portion of the costs.

If the County Board approves funding this project in some form, the Commission's intention is to survey the remaining townships in upcoming years.

If you have any questions regarding this memo, please let me know.

MHA

Enc.: August 10, 2021 WJE Proposal

Wiss, Janney, Elstner Associates, Inc.
330 Pfingsten Road
Northbrook, Illinois 60062
847.272.7400 tel
www.wje.com

August 10, 2021

Matthew H. Asselmeier, AICP, CFM
Senior Planner
Kendall County Planning, Building & Zoning
111 West Fox Street
Yorkville, Illinois 60560-1498

Historical Survey - Kendall and Bristol Townships
WJE No. 2021.5052

Dear Mr. Asselmeier:

At your request, Wiss, Janney, Elstner Associates, Inc. (WJE) is pleased to provide this proposal to conduct a historical and architectural survey of Kendall and Bristol Townships, two of the nine townships within Kendall County. The townships were selected by the Kendall County Historic Preservation Commission (Commission). Based on past correspondence with you, it is our understanding that Kendall County intends to apply for a Certified Local Government (CLG) Grant from the Illinois State Historic Preservation Office to support the survey work. Additionally, local volunteers recruited by the Commission will be available to participate in the project work.

The intent of these surveys will be to identify historically and architecturally significant properties and/or sites over 50 years of age, which will result in recommendations of the most noteworthy properties for listing in the National Register of Historic Places or designation as a Local Landmark. As part of the survey, the present condition, integrity, architectural style and features, construction date, and any additions or alterations would be identified for the most significant properties.

SCOPE OF WORK

The Kendall County Historic Preservation Commission seeks to conduct an intensive-level historical and architectural survey of unincorporated areas of Kendall Township (excluding Helmar) and Bristol Township in Kendall County. Based on an initial review of 1930s aerial photography as compared to present-day aerial photography, we estimate that there are approximately 160 existing properties in Kendall Township and 80 existing properties in Bristol Township that should be included in the survey.

To perform the tasks involved with the completion of an intensive-level survey, we understand that members of the Kendall County Historic Preservation Commission will volunteer their time to support the field survey work and historical research.

Based on our understanding of the project, we propose the following scope of work:

1. **Orientation Meeting**. Attend a meeting with the Kendall County Historic Preservation Commission to discuss the survey, clarify the scope of work and methodology, and establish plans for the implementation of the work.

2. **Sample Report and Survey Form**. Provide a sample of the typical survey form to be used for the project.
3. **Field Survey**. Perform a survey of farmsteads, cemeteries, and rural churches identified in Kendall and Bristol Townships. Each survey team will typically include one WJE staff member and one Kendall County volunteer. Volunteers will be trained by WJE staff prior to commencement of the field survey.
4. **Photographic Documentation**. Prepare documentary photographs using digital photography in accordance with the National Register Photo Policy Factsheet of May 2013.
5. **Map**. Prepare a base map of the survey area, showing approximate location of survey sites. The map will be prepared using GIS software. We assume that Kendall County will provide baseline GIS data such as parcel boundaries.
6. **Determinations of Eligibility.** Field survey information and research materials collected by volunteers will be reviewed, and landmark status eligibility evaluations will be made for all inventoried sites.
7. **Database Development**. The survey data will be compiled using Microsoft Access.
8. **Draft Report**. Prepare summary draft reports for Kendall and Bristol Townships, with a discussion and evaluation of the Kendall County region, including the following:
    - Executive Summary
    - Survey methodology
    - A description and context history of the township and the surrounding region, including the growth of businesses, agriculture, and development (it is assumed volunteers coordinated by the county will conduct research and WJE will prepare the historical narrative)
    - List of structures within the survey area, with approximate construction date, architectural style, and the level of significance of each structure
    - Tabulated results from the survey area, including the acres surveyed, total properties extant at time of survey, and number of properties meriting further historical research
    - Map of the survey area
    - Map of potential historic districts, if applicable
    - Map locating noteworthy properties considered eligible for individual landmark status
    - A brief description of significant and relevant surveys previously undertaken in the survey area
    - Identification of any difficulties or limitations in the survey
    - A discussion of recommended strategies for identifying and protecting significant historic properties in the survey area
    - Bibliography of previous surveys and sources referenced

    The draft report will be submitted electronically for review.

9. **Final Report and Deliverables**. Based on comments received on the draft report, revise and finalize the summary report. The final survey forms, photography, database, mapping, and report files will be provided electronically on CD-ROM. No printed hard copy deliverables are included at this time.
10. **Public Meetings.** Attend up to two scheduled meetings with the Kendall County Historic Preservation Commission during the project. Meetings are assumed to be held at the Kendall County office in Yorkville.

As noted above, we anticipate each survey team will typically include one WJE staff member and one Kendall County volunteer. Kendall County will coordinate volunteers to be available to accompany WJE staff during the field survey work.

Additionally, volunteers coordinated by the county will conduct research into the history and development of Kendall and Bristol Townships in area historical societies (supported by knowledgeable members), as well as local libraries. Scans or photocopies of research materials will be provided to WJE, who will develop the context history as described above.

SCHEDULE

Following contracting, WJE will develop a schedule with Kendall County to complete the tasks described in the Scope of Work to meet any submittal requirements indicated by the Illinois State Historic Preservation Office. Tentatively, we understand that grant applications are to be submitted this fall for projects to be performed in 2022.

BUDGET

To perform the above described Scope of Work, we propose the following budgets, inclusive of all expenses:

Item	WJE Budget
Kendall Township Survey	$30,000
Bristol Township Survey	$15,000

All WJE services will be provided in accordance with the attached *Terms and Conditions for Professional Services*.

The above budgets assume the survey work for each township will be done separately. If the work is combined and the surveys are done concurrently as part of a single project, some savings are possible by combining meetings and other administrative tasks. Therefore, a budget of $42,500 is proposed to complete both surveys and associated tasks concurrently.

The budgets presented above are for WJE time and expenses only. Therefore, we recommend requesting grant funding at least equal to this amount. The budgets above do not include time from volunteers coordinated by Kendall County to conduct research and assist with the field survey work or other expenses incurred by Kendall County during the project (e.g., printing of hard copies of the final report). It

is anticipated that volunteer time and other expenses will provide the local match required as part of the grant program.

If you have any questions, or would like to discuss anything regarding this proposal, please let us know.

Sincerely,

WISS, JANNEY, ELSTNER ASSOCIATES, INC.

[redacted]

Kenneth M. Itle
Associate Principal

Wiss, Janney, Elstner Associates, Inc. or **WJE Engineers & Architects, P.C. (WJE)** has been requested to perform certain professional and other services. The parties agree that these services shall be performed under the following Terms and Conditions, and that Client's acceptance of WJE's proposal or its direction for WJE to commence any services constitutes acceptance of these Terms.

1. Independent Contractor. WJE is an independent contractor, and all persons employed to furnish services hereunder are employees of WJE or its subcontractors/subconsultants and not of the Client. WJE and Client agree to be solely responsible for compliance with all federal, state, and local laws, rules and regulations, and ordinances that apply to their own respective employees.

2. Performance. The standard of care for all professional services performed or furnished by WJE will be the skill and care ordinarily used by members of WJE's professions performing similar services and practicing under similar circumstances at the same time and in the same locality. WJE makes no guarantees or warranties, express or implied, with regard to the performance of its services. WJE shall not have control over or be in charge of and shall not be responsible for construction means, methods, techniques, sequences or procedures or for construction safety precautions and programs since these are the responsibilities of others. WJE agrees to perform its services in as timely a manner as is consistent with the professional standard of care and to comply with applicable laws, regulations, codes and standards that relate to WJE's services and that are in effect as of the date when the services are provided. Client agrees that no claim may be brought against any WJE employee individually for any claim involving performance of services.

3. Client Duties. In order for WJE to perform the services requested, the Client shall, at no expense to WJE, (1) provide all necessary information regarding Client's requirements as necessary for the orderly progress of the work; (2) designate a person to act as Client's representative for the services who shall have the authority to transmit instructions, receive instructions and information, and interpret and define Client's policies and requests for WJE's services; and (3) provide access to and make all provisions for WJE to enter, without cost, limitation, or burden to WJE, the specific property as required to perform the work, including the use of scaffolds or similar mechanical equipment. WJE is entitled to rely upon the information and services provided by the Client.

4. Safety. Field work will be performed only under conditions deemed safe by WJE personnel. Charges may be made for safety or security measures required by hazardous job conditions that WJE may encounter. Client understands that WJE is only responsible for the safety of its own employees and those of its subconsultants and is not responsible for the safety of other persons or property.

5. Compensation and Expenses. Client agrees to pay for WJE's requested services in accordance with WJE's standard hourly rate schedule or negotiated fee. Charges generally will be billed in monthly intervals with applicable taxes included. Travel, subsistence, and expenses incurred; communications; reproduction; and shipping charges will be billed at cost plus 5 percent and invoiced as an expense service fee. Use of vehicles will be billed at $0.60 per mile. Expended materials for field and laboratory work, rental equipment, and any fees advanced on Client's behalf will be billed at cost plus 10 percent and invoiced as an expense service fee. WJE equipment used in field or laboratory work is billed at WJE's equipment usage rate schedule in effect at the time the work is performed, subject to adjustment for minimum or extended usage. Portal-to-portal equipment usage rates are comparable to prevailing commercial rental rates (if available). Billing rates may be increased annually. Any subcontracted service will be billed at cost plus 10 percent providing the subcontract firm has in place adequate insurance coverage determined by WJE; otherwise, the cost will be marked up 20 percent and invoiced as an expense service fee. Client agrees to pay WJE's then-current time charges, attorneys' fees, and other expenses resulting from required attendance at depositions, administrative proceedings, or responding to subpoenas or court orders relating to the Project, but not for such expenses attributed to WJE's negligent performance of its services.

Payment for WJE's services is expected in full in US dollars upon receipt of the invoice. Invoices more than 30 days past due are subject to a 2% interest charge per month (but no more than the maximum extent allowed by law) compounded annually and any related attorneys' fees and collection expenses. WJE reserves the right to suspend its services if the Client fails to make payment when due. In such an event, WJE shall have no liability to the Client for delay or damage caused the Client because of such suspension.

6. Termination. Both the Client and WJE have the right to terminate WJE's services for convenience upon seven calendar days' written notice to the other party. In the event the Client terminates without cause, WJE shall be entitled to compensation for its services and expenses up to the time of such notification, including fees for any transition services, and shall have no liability for delay or damage to Client because of such termination.

7. Reports, Drawings, and Work Product. WJE retains ownership of reports, drawings, specifications, test data, techniques, photographs, letters, notes, and other work product, including those in electronic form, it has created. These documents or parts thereof may not be reproduced or used by the Client for any purpose other than the purpose for which they were prepared, including, but not limited to, use on other projects or future modifications to this Project, without the prior written consent of WJE. Upon request, WJE will provide Client with a copy of documentation for information and reference purposes and bill for such reproduction in accordance with Paragraph 5 above. Any unauthorized use of WJE's work product shall be at the Client's sole risk and Client shall indemnify WJE for any liability or legal exposure to WJE. To the extent WJE terminates its services due to non-payment of fees by Client, Client shall not be entitled to use the documents described herein for any purpose whatsoever.

8. Environmental Hazards. Client acknowledges that WJE's services do not include the detection, investigation, evaluation, or abatement of environmental conditions that WJE may encounter, such as mold, lead, asbestos, PCBs, hazardous substances, or toxic materials that may be present in buildings and structures involved in this Project. The Client agrees to defend, indemnify, and hold WJE harmless from any claims relating to the actual or alleged

existence or discharge of such materials through no fault of WJE's employees. WJE reserves the right to suspend its services, without liability for consequential or any other damages, if it has reason to believe that its employees may be exposed to hazardous materials and will notify the Client in such event.

9. Dispute Resolution. Prior to the initiation of any legal proceedings (except for WJE initiated claims for nonpayment for services), WJE and the Client agree to submit all claims, disputes, or controversies arising out of or in relation to the services provided by WJE to mediation. Such mediation shall be conducted under the auspices of the American Arbitration Association or such other mediation service or mediator upon which the parties agree. Client consents to suit for nonpayment in the state courts of Illinois.

10. Successors and Assigns. These Terms shall be binding upon Client and WJE and their respective successors, assigns and legal representatives. Neither party may assign, subcontract, or otherwise delegate its responsibilities without the prior consent of the other party, which consent shall not be unreasonably withheld. Additionally, in no instance shall this paragraph be interpreted to create any rights in any third party.

11. Insurance. WJE maintains commercial general liability, automobile, workers' compensation, and employers' liability and professional liability coverages under policies written by national insurance carriers rated by the A.M. Best Company, evidence of which will be provided upon request. Special endorsements are not allowed. No waiver of subrogation is allowed on WJE's professional liability policy. Upon written request, WJE agrees to name the Client as an additional insured to the commercial general liability and automobile coverages. Any request to add other parties as additional insureds must be made in writing and is subject to certain limitations. All policies are subject to annual renewal. Excess coverage is available for exposures over primary policy limits except for professional liability.

12. Indemnity. To the fullest extent permitted by law, Client and WJE each agree to indemnify and hold the other harmless, and their respective agents, officers and employees, from and against liability for all direct claims, losses, damages, and expenses, including reasonable attorneys' fees, to the extent such claims, losses, damages, or expenses are for bodily injury, sickness, disease, death, or property damage and to the extent they are caused by the negligent acts, errors, or omissions of the indemnifying party, and/or the indemnifying party's agents, officers, employees, independent contractors, or subcontractors of any tier. In the event such claims, losses, damages, or expenses are caused by the joint or concurrent negligence of Client and WJE, or their respective agents, officers, employees, independent contractors, or subcontractors of any tier, they shall be borne by each party in proportion to that negligence.

13. Agreed Remedy. To the fullest extent permitted by law, the total liability, in the aggregate, of WJE and WJE's officers, directors, employees, agents, and consultants to Client and anyone claiming by, through, or under Client, for any and all injuries, claims, losses, expenses, or damages, including, without limitation, attorneys' fees, arising out of or in any way related to WJE's services, the Project, or these Terms, from any cause or causes whatsoever, including but not limited to, negligence, strict liability, indemnity or breach of contract shall not exceed an amount equal to the proceeds obligated to be paid under WJE's applicable insurance policy for such claims. If, for any reason, the applicable insurance policy does not provide coverage for any particular claim described herein, then the liability amount shall not exceed WJE's fees for the services performed hereunder.

In no event shall WJE be liable in contract, tort, strict liability, warranty or otherwise, for any special, incidental or consequential damages, such as, but not limited to, delay, disruption, loss of product, loss of anticipated profits or revenue, loss of use of equipment or system, non-operation or increased expense of operation of other equipment or systems, cost of capital, or cost of purchase or replacement equipment systems or power.

14. Third-Party Beneficiaries. Nothing contained in these Terms shall create a contractual relationship with, or a cause of action in favor of, a third party against either the Client or WJE. WJE's services hereunder are being performed solely for the benefit of the Client, and no other entity shall have any claim against WJE because of these Terms or WJE's performance or non-performance of services hereunder.

15. Laboratory or Material Testing Services. Material samples not consumed in WJE's work will be discarded 60 days after completion of the project unless the Client requests other disposition in writing. WJE cannot be responsible for material after 60 days and Client shall inform WJE in writing how to dispose of the samples. WJE will exercise reasonable care in safeguarding materials, records, or equipment, but disclaims any liability for loss or damage. Rates for sample storage will vary by sample size but in no event will sample charges be less than $270 per year accruing upon the 61st day of storage and annually thereafter. Failure to pay for underlying services or storage constitutes permission to dispose of all samples held by WJE.

Any testing done on materials or products shall not prevent WJE from any services involving Client's materials or products in the built world. WJE shall have no liability to third parties for any products or materials developed from WJE's services. WJE's reports, trademarks or other property shall not be used to indicate endorsement of any material or product.

16. Entire Agreement. These Terms together with any written proposal shall constitute the entire understanding of the parties concerning the Project and supersede all prior negotiations and written agreements between them, and any amendment or modification to either WJE's proposal or these Terms may be made only by a written instrument expressly stated to be an amendment and signed by WJE.

17. Severability. If any provisions of these Terms, or portions thereof, are determined to be unenforceable, the remainder shall not be affected thereby and each remaining provision or portion thereof shall continue to be valid and effective and shall be enforceable to the fullest extent permitted by law.

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Permit Summary by Category by Month
Kendall County

Permit Category	Total	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
House	17	3	3	3	0	4	2	1	1	0	0	0	0
Garage	7	1	0	1	2	1	0	1	1	0	0	0	0
Accessory Buildings	46	3	2	3	11	9	10	6	2	0	0	0	0
Additions	17	1	2	2	3	1	3	3	1	1	0	0	0
Remodeling	12	0	1	3	1	0	2	1	4	0	0	0	0
Commercial - M Zone	10	0	0	1	3	6	0	0	0	0	0	0	0
Commercial - B Zone	10	0	0	1	0	1	8	0	0	0	0	0	0
Barns/Farm Buildings	10	0	0	0	2	3	3	0	2	0	0	0	0
Signs	2	0	0	0	0	1	1	0	0	0	0	0	0
Swimming Pools	28	0	3	8	7	2	5	3	0	0	0	0	0
Decks	14	0	0	0	2	3	5	2	2	0	0	0	0
Demolitions	13	2	0	2	3	3	1	0	2	0	0	0	0
Electrical Upgrades	8	1	0	0	1	2	0	1	3	0	0	0	0
Change in Occupancy	3	0	0	2	0	0	0	0	1	0	0	0	0
Driveway	6	0	0	1	1	2	1	1	0	0	0	0	0
Fire Restoration	4	1	0	1	0	0	0	1	1	0	0	0	0
Patio	6	0	0	0	2	4	0	0	0	0	0	0	0
Wind Turbine	2	0	0	0	2	0	0	0	0	0	0	0	0
Generator	11	2	0	4	2	0	1	1	1	0	0	0	0
Solar	15	1	0	2	3	0	2	6	1	0	0	0	0
	241	15	11	34	45	42	44	27	22	1	0	0	0

August 2020 - 1 House 35 Total Permits

YTD 2020 - 26 Houses 232 Total Permits

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Permit Summary by Category
Kendall County

Permit Category	Count	Estimated Cost	Permit Fees	Land Cash
House	1	$625,000	$2,900	$0
Garage	1	$25,000	$200	$0
Accessory Buildings	2	$10,000	$100	$0
Additions	1	$29,500	$0	$0
Remodeling	4	$121,310	$1,150	$0
Barns/Farm Buildings	2	$81,000	$0	$0
Decks	2	$59,500	$400	$0
Demolitions	2	$0	$150	$0
Electrical Upgrades	3	$21,500	$150	$0
Change in Occupancy	1	$0	$0	$0
Fire Restoration	1	$0	$0	$0
Generator	1	$8,863	$110	$0
Solar	1	$55,575	$350	$0
	22	$1,037,248	$5,510	$0

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/4/2021	012021033 01 House	02-35-414-009 GRUNT DENNIS	7576 THORNHILL CT. YORKVILLE, IL. 60560	ROSEHILL	CL DESIGN BUILD, INC.
5/24/2021	012021144 01 House	02-35-413-012 GACH MICHAEL P & CHERYL D	7372 GILDA COURT YORKVILLE, IL. 60560	FIELDS OF FARM COLONY UNIT 4	BRAD DRENDEL BUILDERS, INC.
6/16/2021	012021182 01 House	02-21-200-028 WIESCHHAUS KRISTOPHER T &	9261 KENNEDY RD YORKVILLE, IL 60560-		
2/11/2021	012021025 01 House	06-08-126-005 MCCUE BUILDERS INC	7206 FITKINS DR OSWEGO, IL 60543-	ESTATES OF FOX CHASE UNIT 3	MCCUE BUILDERS, INC.
1/21/2021	012021021 01 House	08-03-200-002 PEARCE KIMBERLY A & KENDALL	12307 ASHLEY RD NEWARK, IL 60541-		BUILD SIMPLY MODERN
6/4/2021	012021154 01 House	06-06-450-002 MCCUE BUILDERS INC.	5613 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	SAME
3/16/2021	012021054 01 House	06-08-101-020 IVEC MARTIN & KATHRYN S	7301 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	
2/23/2021	012021030 01 House	06-02-300-006 TOM & ROBIN KEOUGH	1915 JOHNSON ROAD OSWEGO, IL. 60543		SAME
5/11/2021	012021136 01 House	08-19-300-007 REHBERG LOGAN J & DANIELLE A	15924 LISBON ROAD NEWARK, IL. 60541		
5/25/2021	012021143 01 House	05-12-220-005 FALCONE ANTHONY & SHARI	6332 VALLEYVIEW CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	DWELL HOMES
3/11/2021	012021051 01 House	04-21-102-004 MINELLI JOHN M & HEATHER K	9253 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	OWNER

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8/18/2021	012021237 01 House	06-07-226-022 FRANCESCONI MICHAEL & KARA	7503 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	CHARLES JAMES CUSTOM HOMES
3/16/2021	012021053 01 House	06-08-101-027 MORRIS PATRICK J & MICHELE R	7251 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	
3/9/2021	012021029 01 House	09-21-100-009 WOOLVERTON BRADY & DEVAN	3527 BELL RD MINOOKA, IL 60447-		
1/28/2021	012021023 01 House	06-05-393-002 BRAD & DIANA SELLERS	4565 WAAKEESHA DR OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 2	REVOLUTION BUILDERS CONSTRUCTION
6/22/2021	012021198 01 House	06-02-102-002 HANEY RYAN P & THOMAS DANA R	6145 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	SG HOME BUILDERS
1/29/2021	022021026 02 Garage	05-17-200-003 KAYTANA PROPERTIES LLC AMENT	10021 AMENT RD YORKVILLE, IL 60560-		LESTER BUILDINGS
4/23/2021	022021105 02 Garage	04-16-350-009 FORDYCE ANDREW J & GILL A	8855 KIMBALL CT NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 1	COACH HOUSE GARAGES
4/21/2021	022021098 02 Garage	01-16-476-003 WOLF TRENT	39 S LINDEN DR PLANO, IL 60545-	MEYERBROOK UNIT 5	OWNER
3/3/2021	022021040 02 Garage	02-14-426-004 BROOKER LISA R	100 RICKARD DR OSWEGO, IL 60543-		COUNTRYSIDE BARNS
8/18/2021	022021243 02 Garage	06-05-153-002 BURKHAMER RONALD JR & MINDY	45 E TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS	
6/3/2021	022021162 02 Garage	05-08-352-006 HAGOS YONAS A & KRISTEN A	7912 TANGLEWOOD TRAILS DR YORKVILLE, IL 60560-	TANGLEWOOD TRAILS	REINERT STRUCTURES

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/3/2021	022020103 02 Garage	03-15-151-001 GERACE PAUL J & AYMEE	2996 WOLF RD OSWEGO, IL 60543-		HOMEOWNER
6/30/2021	032021208 03 Accessory Buildings	02-36-300-015 TODUS JOHN K & THERESA A	5600 MINKLER RD YORKVILLE, IL 60560-	SQUAW VALLEY UNIT 2	
4/6/2021	032021078 03 Accessory Buildings	09-05-400-021 PRODEHL JAMIE & JILLIAN	4405 VAN DYKE RD MINOOKA, IL 60447-		WICK BUILDINGS
3/8/2021	032021049 03 Accessory Buildings	05-19-300-003 CARLSEN BRIDGET A & BLAGG TAMMY	9950 LISBON RD YORKVILLE, IL 60560-		BOB LEE CONSTRUCTION
5/11/2021	032021132 03 Accessory Buildings	09-23-400-006 DAVIS CARLOS & TRACY	15875 RIDGE RD MINOOKA, IL 60447-		
7/15/2021	032021223 03 Accessory Buildings	02-11-300-025 GUTIERREZ MICKEY	1729 KENNEDY RD BRISTOL, IL 60512-		WICK BUILDINGS
4/6/2021	032021077 03 Accessory Buildings	04-21-102-004 MINELLI JOHN M & HEATHER K	9253 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	SAME
7/1/2021	032021209 03 Accessory Buildings	01-25-456-009 DECRANE TOMMY C & EILEEN M	4492 MITCHELL CT PLANO, IL 60545-	SCHAEFER WOODS SOUTH UNIT 3	ARROWHEAD BRICK PAVERS, INC.
5/26/2021	032021158 03 Accessory Buildings	02-27-302-003 MILLER THOMAS	118 TUMA RD YORKVILLE, IL 60560-		
3/23/2021	032021061 03 Accessory Buildings	01-20-352-007 WHITEIS ROBERT H & SANDRA L LIV TRUST	174 WOODLAND DR PLANO, IL 60545-	SUGAR BROOK ESTATES UNIT 3	
7/2/2021	032021176 03 Accessory Buildings	05-08-402-005 ARCHBOLD EDGAR E & AELITA	6 JULIUS CT YORKVILLE, IL 60560-	RONHILL ESTATES	

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Kendall County

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5/4/2021	032021122 03 Accessory Buildings	03-13-400-005 RODRIGUEZ, HECTOR	227 RANCE RD OSWEGO, IL 60543-		
5/5/2021	032021121 03 Accessory Buildings	04-08-400-002 MILLBROOK HUNTING CLUB	7609 WHITFIELD RD NEWARK, IL 60541-		
4/29/2021	032021118 03 Accessory Buildings	06-06-276-006 WARPINSKI FAMILY 2014 DEC OF TRUST	8 IROQUOIS CT OSWEGO, IL 60543-	NA-AU-SAY WOODS UNIT 2	COACH HOUSE GARAGES
2/11/2021	032021028 03 Accessory Buildings	03-17-127-001 SAMBORSKI WAYNE & CANDACE	4670 MILL RD OSWEGO, IL 60543-	HERRENS RIVERVIEW ADDN	TUFF SHED, INC.
1/14/2021	032021020 03 Accessory Buildings	03-05-432-014 OLD SECOND NATIONAL BANK	32 SENECA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 7	BOB LEE CONSTRUCTION
5/4/2021	032021117 03 Accessory Buildings	05-07-451-016 PRIDEMORE CHARLES L & NISHA M	146 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	TUFF SHED
4/28/2021	032021114 03 Accessory Buildings	03-08-303-004 CHESSER, LLOYD	111 DOLORES ST OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	TUFF SHED
8/17/2021	032021242 03 Accessory Buildings	02-35-413-012 GACH MICHAEL P & CHERYL D	7372 GILDA CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	TUFF SHED
5/11/2021	032021130 03 Accessory Buildings	02-35-301-003 GALARZA RICARDO	339 AUSTIN CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 1	TUFF SHED INC.
6/9/2021	032021170 03 Accessory Buildings	02-31-477-002 BURKE KAREN	18 W BIRCH CT YORKVILLE, IL 60560-	FOXLAWN UNIT 1	
8/9/2021	032021238 03 Accessory Buildings	03-05-404-021 GLASER PEGGY	142 BOULDER HILL PASS MONTGOMERY, IL 60538-		TUFF SHED

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4/7/2021	032021080 03 Accessory Buildings	03-04-302-003 MALIORIS GEDIMINAS & MICHELLE	22 HAMPTON RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 4	TUFF SHED
1/13/2021	032021015 03 Accessory Buildings	03-32-352-007 MAECHTLE STEPHEN J & CASINO PAMELA D	63 TOMAHAWK TRL OSWEGO, IL 60543-	ARROWHEAD HILLS	
4/29/2021	032021009 03 Accessory Buildings	08-12-102-008 WEST ROGER J & SUSAN A	6787 CHICAGO RD YORKVILLE, IL 60560-		CLEARY BUILDING CORP.
5/5/2021	032021120 03 Accessory Buildings	02-29-281-001 SULLIVAN CHARLES P & SHARON P	1204 PRAIRIE LN YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 2	
2/23/2021	032021032 03 Accessory Buildings	06-02-300-006 TOM & ROBIN KEOUGH	1915 JOHNSON ROAD OSWEGO, IL. 60543		
6/4/2021	032021142 03 Accessory Buildings	06-02-103-007 ESPOSITO PATRICK A	6127 DOVER CT OSWEGO, IL 60543-	SOUTHFIELD ESTATES	
4/21/2021	032021100 03 Accessory Buildings	03-35-352-003 VAN METER LAWRENCE G & ORTIZ MALLORY R	6051 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	TUFF SHED
4/7/2021	032021082 03 Accessory Buildings	03-07-426-001 BIENEMAN RICHARD J & SUSAN M	104 AUGUSTA RD OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 1	
8/9/2021	032021180 03 Accessory Buildings	08-11-100-014 FLORES BLANCA A	7701 PLATTVILLE RD NEWARK, IL 60541-		
6/1/2021	032021156 03 Accessory Buildings	02-14-428-011 MESSENGER NATHAN L & KENDALL P	27 E RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 3	
8/2/2021	032021174 03 Accessory Buildings	02-21-181-001 BONNEVIER PERRY & TATTON CHERYL	35 E LEXINGTON CIR YORKVILLE, IL 60560-	BLACKBERRY CREEK	CLEAN EDGE CONSTRUCTION, INC.

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6/21/2021	032021196 03 Accessory Buildings	02-21-151-002 FELTES JAMES A & RITA L	4 PATRICIA LN YORKVILLE, IL 60560-	RICHARDS BLACKBERRY ESTATES	CLEAN EDGE CONSTRUCTION
3/23/2021	032021059 03 Accessory Buildings	01-19-426-007 WOODS JEFFREY J & RAQUEL L	25 HUNTSMEN DR PLANO, IL 60545-	HUNTSMEN TRAILS SUB	
4/7/2021	032021079 03 Accessory Buildings	03-04-302-003 MALIORIS GEDIMINAS & MICHELLE	22 HAMPTON RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 4	TUFF SHED
6/29/2021	032020251 03 Accessory Buildings	06-02-102-002 HANEY RYAN P & THOMAS DANA R	6145 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	MORTON BUILDINGS INC
7/8/2021	032021217 03 Accessory Buildings	05-07-328-002 SAAR MICHAEL & DAYLE	14 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	
6/15/2021	032021171 03 Accessory Buildings	05-07-452-004 HANSEN JEFFREY L & KAY L	11130 C LEGION RD YORKVILLE, IL 60560-		CLEARY BUILDINGS CORP.
6/4/2021	032021168 03 Accessory Buildings	02-22-126-005 THORSON TODD JOSEPH & NANCY ANN	18 LAKEVIEW DR YORKVILLE, IL 60560-	BRISTOL LAKE SUB	CLEARY BUILDING CORP.
8/2/2021	032021234 03 Accessory Buildings	02-24-151-002 QUILLEN BRAD & TAMMY	6938 SUNDOWN LN YORKVILLE, IL 60560-	HERRENS RIVERSIDE ACRES UNIT 1	BOB LEE CONSTRUCTION
7/15/2021	032021227 03 Accessory Buildings	01-26-300-032 JOHNSON CARL E & JOANNE M	4677 NEEDHAM RD PLANO, IL 60545-		EVERLAST (BOONDOCKS BARNS)
6/15/2021	032021172 03 Accessory Buildings	04-21-127-001 RIZZO ANTHONY C & JANNETTE K	15796 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	
5/26/2021	032021161 03 Accessory Buildings	04-36-300-011 TALLEY CHRISTIAN J & NICOLE P	11526 HELMAR RD. NEWARK, IL. 60541		BOB LEE CONSTRUCTION

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7/15/2021	032021224 03 Accessory Buildings	06-05-151-005 LYNCH CHRISTINA J & MICHAEL T	59 W TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	
4/28/2021	032021112 03 Accessory Buildings	02-16-226-011 AGUILAR BENJAMIN A	68 HUNTER LN BRISTOL, IL 60512-	BRISTOL WOODS UNIT 2	
4/6/2021	042021071 04 Additions	04-30-178-002 COVERT ANDREW L & JESSICA M	10384 FOX RIVER DR NEWARK, IL 60541-		
4/5/2021	042021065 04 Additions	04-21-400-001 THANEPOHN DOUGLAS & GAYLE N	9933 MILLBROOK RD NEWARK, IL 60541-		WATER THRU FIRE HOME RESTORATION
2/23/2021	042021038 04 Additions	02-23-202-021 ARRIAGA JESUS & IMELDA A	7424 ROUTE 34 OSWEGO, IL 60543-		
2/19/2021	042021036 04 Additions	03-27-377-015 JOAQUIN LIBRADO & SHARON	2543 SIMONS RD OSWEGO, IL 60543-		
1/4/2021	042021012 04 Additions	02-35-380-009 PHILLIPS MATT & TONYA	5653 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
8/23/2021	042021251 04 Additions	01-19-200-009 RAMIREZ JORGE & RY PROPERTY MANAGEMENT CORP	17660 SEDGEWICK RD SANDWICH, IL 60548-		
7/29/2021	042021231 04 Additions	06-14-100-012 PRIORELLO JACLYN C & HASELTINE STANLEY	1650 ROUTE 126 PLAINFIELD, IL 60544-		
7/8/2021	042021219 04 Additions	04-21-102-013 OSTREKO LUKE A & MEGHAN	16003 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	BART CONSTRUCTION
5/25/2021	042021152 04 Additions	02-21-151-016 GREITER DAVID F JR & LORI A	14 AMANDA LN YORKVILLE, IL 60560-	ASHLEY WOODS	

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4/15/2021	042021093 04 Additions	01-25-454-010 BUZAY LINDA M	12378 ANDREW ST PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 3	VALLEY RIDGE DEVELOPMENT
4/21/2021	042021092 04 Additions	05-17-300-011 HANSEN KEVIN & RACHEL	8945 A IMMANUEL RD YORKVILLE, IL 60560-		T4 CONSTRUCTION INC.
7/2/2021	042021179 04 Additions	05-08-402-005 ARCHBOLD EDGAR E & AELITA	6 JULIUS CT YORKVILLE, IL 60560-	RONHILL ESTATES	
4/7/2021	042021081 04 Additions	04-02-226-011 BRUCK RONALD & KATHERINE	6087 POLO CLUB DR YORKVILLE, IL 60560-	THE WOODS OF SILVER SPRINGS PHASE 3	JOEL. M SPEARS
6/16/2021	042021181 04 Additions	02-14-426-006 ENTILE MATTHEW R	86 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 5	
7/16/2021	042021221 04 Additions	02-15-476-001 WOLF TROY J & RENAE E	2820 BRISTOL RIDGE RD BRISTOL, IL 60512-	STRUKELS PARADISE LAKE UNIT 1	MI-TER BUILT HOMES, INC.
6/16/2021	042021175 04 Additions	04-34-100-001 STANDARD BANK & TRUST CO	14905 HUGHES RD NEWARK, IL 60541-		
8/23/2021	052021253 05 Remodeling	06-05-402-008 WILLIAMS ADRIAN & JASMINE N	4192 STEAM MILL CT OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	
8/17/2021	052021240 05 Remodeling	06-05-402-025 STEVENS RICK & DEBORAH	4098 CHERRY RD OSWEGO, IL 60543-	HENNEBERRY WOODS UNIT 1	DJK COSTOM HOMES
7/29/2021	052021229 05 Remodeling	03-06-200-012 325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		TANGENT TECHNOLOGIES
6/29/2021	052021204 05 Remodeling	02-23-303-023 GLEASON JOHN ROBERT & JODY PATTON	16 CANYON CT YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 1	PHENOMENAL CONSTRUCTION, INC.

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3/31/2021	052021069 05 Remodeling	01-32-226-007 SMITH, JAMES	16031 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	
4/5/2021	052021073 05 Remodeling	05-08-376-012 ANGELO MICHAEL P & JULIE A	27 JULIUS CT YORKVILLE, IL 60560-		SAME
3/23/2021	052021060 05 Remodeling	02-24-202-002 EICHELBERGER JORDAN S & SKYE R	159 PLEASANTVIEW DR OSWEGO, IL 60543-	SERENITY ON THE FOX	TRANQUILITY BUILDERS
2/19/2021	052021037 05 Remodeling	04-01-402-005 GORMAN JAMES	12345 FOX RD YORKVILLE, IL 60560-	REINERT FOX ROAD SUB	SELF
1/15/2021	052021010 05 Remodeling	04-16-205-003 OLIVER HOFFMAN FOUNDATION	8225 FOX RIVER DR NEWARK, IL 60541-		MALL BUILDERS
8/19/2021	052021246 05 Remodeling	03-08-201-004 OBRIEN DANIEL M & JANET	47 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 14	ABSOLUTE CONSTRUCTION
6/8/2021	052021165 05 Remodeling	03-06-200-012 REICH BROTHERS	275 ROUTE 31 OSWEGO, IL 60543-		KEELY CONSTRUCTION, INC.
3/9/2021	052020322 05 Remodeling	07-09-100-009 GEISTLER GREGORY M & STACI J	15697 LISBON CENTER RD NEWARK, IL 60541-		
5/26/2021	062021151 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/26/2021	062021150 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/26/2021	062021149 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED

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5/26/2021	062021148 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/26/2021	062021146 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
4/28/2021	062021113 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
4/27/2021	062021109 06 Commercial - M Zone	03-06-200-012 325 SOUTH ROUTE 31 LLC / THE GRID	275 ROUTE 31 OSWEGO, IL 60543-		
4/28/2021	062021104 06 Commercial - M Zone	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
3/25/2021	062021039 06 Commercial - M Zone	03-06-200-012 325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		LEOPARDO COMPANIES, INC.
6/16/2021	072021191 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/16/2021	072021189 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL 60404		
6/16/2021	072021188 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/16/2021	072021187 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/16/2021	072021186 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		

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6/16/2021	072021184 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/15/2021	072021155 07 Commercial - B Zone	09-13-200-007 GOPROBALL, LLC	14285 COUNTY LINE RD SHOREWOOD, IL 60404-		SCI DESIGN. INC/ ROBERT
4/8/2021	072021057 07 Commercial - B Zone	03-05-253-032 OSWEGOLAND PARK DISTRICT	0 BOULDER HILL PASS MONTGOMERY, IL 60538-		TBD
6/16/2021	072021185 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
6/16/2021	072021192 07 Commercial - B Zone	09-13-200-010 FOUR SEASONS STORAGE, LLC	14339 COUNTY LINE ROAD SHOREWOOD, IL. 60404		
5/27/2021	082020302 08 Barns/Farm Buildings	09-09-300-002 BARRIOS NICOLAS & SANDRA	13825 MCKANNA RD. MINOOKA, IL. 60447		
8/31/2021	082021255 08 Barns/Farm Buildings	09-25-300-003 PALMER ERIC R & RENEE S	16929 RIDGE RD MINOOKA, IL 60447-		
8/19/2021	082021245 08 Barns/Farm Buildings	09-04-300-005 MACIAS JOSE ANGEL	3610 VAN DYKE RD MINOOKA, IL 60447-		
6/28/2021	082021203 08 Barns/Farm Buildings	07-29-200-005 WALKER BRIAN	16430 STEPHENS RD NEWARK, IL 60541-		
6/7/2021	082021173 08 Barns/Farm Buildings	06-27-100-005 KELLOGG JOHN	2926 WALKER RD. YORKVILLE, IL. 60560		
6/7/2021	082021166 08 Barns/Farm Buildings	05-09-154-001 JENSEN BRADLEY & NICOLE & RUNKLE	7344 ROUTE 47 YORKVILLE, IL 60560-		

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6/1/2021	082021160 08 Barns/Farm Buildings	09-09-300-005 CABRAL FIDENCIO	13724 MCKANNA RD MINOOKA, IL 60447-	BLEUERS SUB	
5/11/2021	082021129 08 Barns/Farm Buildings	08-04-300-003 CENTRAL LAND MANAGEMENT INC	12915 ROUTE 47 NEWARK, IL 60541-		
5/11/2021	082021127 08 Barns/Farm Buildings	09-21-100-010 JIMENEZ MARIO & LINDA	3579 BELL RD MINOOKA, IL 60447-		
4/15/2021	082021094 08 Barns/Farm Buildings	07-16-200-003 MORSCH DENNIS W & MELISSA J	14360 TOWNHOUSE RD NEWARK, IL 60541-		
4/12/2021	082021084 08 Barns/Farm Buildings	09-13-200-006 BRISCOE JARROD	195 US RT 52 MINOOKA, IL 60447-		
5/18/2021	092021137 09 Signs	03-06-200-012 325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		AURORA SIGN COMPANY
6/16/2021	092021178 09 Signs	04-17-300-002 DICKSON VALLEY MINISTRIES	8250 FINNIE RD NEWARK, IL 60541-		
4/30/2021	122021108 12 Swimming Pools	01-03-353-004 MURILLO EDUARDO	29 JACK ST PLANO, IL 60545-	STAINFIELD SUB	
4/22/2021	122021099 12 Swimming Pools	03-05-427-006 NICASIO ADRIANA	36 CIRCLE DR E MONTGOMERY, IL 60538-	BOULDER HILL UNIT 3	OWNER
4/15/2021	122021088 12 Swimming Pools	09-07-200-036 BEARD ROBERT & LISA	13217 GROVE RD MINOOKA, IL 60447-		
4/6/2021	122021076 12 Swimming Pools	02-15-302-003 SCHNELLER ROBERT J & CAROL A	26 SOUTH ST BRISTOL, IL 60512-		

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/6/2021	122021072 12 Swimming Pools	03-32-327-008 WACKERLIN ROY & MARGARET	4501 RESERVATION RD OSWEGO, IL 60543-		
3/31/2021	122021070 12 Swimming Pools	04-02-227-002 WARREN BRANDON M	6202 POLO CLUB DR YORKVILLE, IL 60560-	THE WOOD OF SILVER SPRINGS PHASE 2	AG POOL MASTERS
3/29/2021	122021066 12 Swimming Pools	02-35-387-001 BIESCHKE RACHEL M & GERALDINE T	7503 COLE CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 3	
5/20/2021	122021062 12 Swimming Pools	02-23-352-005 MICK JASON & ERIN	42 TIMBER RIDGE DR YORKVILLE, IL 60560-	TIMBER RIDGE SUB UNIT 2	SWIM SHACK, INC.
4/12/2021	122021056 12 Swimming Pools	02-36-106-005 LYNCH KIMBERLY D & PHILIP J	245 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2 PHAE 3	FOX POOL CHICAGO
3/16/2021	122021052 12 Swimming Pools	06-03-250-005 LARSEN GREGORY L & KRISTINE K	6475 SOUTHFIELD LN OSWEGO, IL 60543-	SOUTHFIELD ESTATES	PRECISION PROPERTY PROS, INC.
3/8/2021	122021046 12 Swimming Pools	02-35-412-002 PALENCIA DANIEL & CORTNEY	5560 JENNIFER CT YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	PRECISION PROPERTY PROS INC
7/15/2021	122021225 12 Swimming Pools	06-05-151-005 LYNCH CHRISTINA J & MICHAEL T	59 W TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	
7/8/2021	122021218 12 Swimming Pools	03-04-154-001 VARGAS ALBERTO ALVAREZ & ALVAREZ CRISTHIAN A	39 WOODRIDGE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 12	
7/6/2021	122021210 12 Swimming Pools	02-34-471-005 TUPPER MARK T & TINA M	5965 SHADOW CREEK CT YORKVILLE, IL 60560-	SHADOW CREEK SUB	EPIC ESCAPES
7/7/2021	122021206 12 Swimming Pools	05-06-127-001 BIESTERFELD DEVON	42 W FOX GLEN DR YORKVILLE, IL 60560-	FOX GLEN	

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
6/24/2021	122021199 12 Swimming Pools	03-08-176-008 CROSS JAVAN J & SELENA M MONTANEZ	24 MARINA DR OSWEGO, IL 60543-	MARINA VILLAGE RESUB	
6/22/2021	122021195 12 Swimming Pools	02-21-326-008 HILL MICHAEL D & CRISTINA	10 CONCORD CT YORKVILLE, IL 60560-	BLACKBERRY CREEK	A & J RECREATIONAL SERVICES
6/16/2021	122021194 12 Swimming Pools	06-08-101-027 MORRIS PATRICK J & MICHELE R	7251 JOYCE CT OSWEGO, IL 60543-	GROVE ESTATES	SUNSET POOLS AND SPAS
6/16/2021	122021193 12 Swimming Pools	03-04-180-008 MAMMEN STEVEN & MCCARTHY KRISTIE	36 INGLESHIRE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	
5/11/2021	122021131 12 Swimming Pools	02-35-431-005 BRENART HEATHER & ROBERT F	5671 SCHMIDT LN YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	A & J RECREATIONAL SERVICES
5/11/2021	122021126 12 Swimming Pools	02-35-380-003 REICHERT ANDREW & APRIL	5735 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 2	SUNCO POOLS INC.
4/5/2021	122021074 12 Swimming Pools	02-14-251-001 HARVEY HEATHER	185 DAVID CT OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	WETTER WATER POOL INSTALL
4/27/2021	122021110 12 Swimming Pools	03-04-401-002 VARGAS ALURA N & RETA DOMINGO D HERNANDEZ	71 INGLESHIRE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	A & J RECREATIONAL SERVICES
3/5/2021	122021042 12 Swimming Pools	06-07-401-001 CATALDO STEVEN A & CATALDO KIMBERLEY A	7581 FAIRWAY DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	PLATINUM POOL
2/22/2021	122021035 12 Swimming Pools	03-31-452-017 CHICAGO TITLE LAND TRUST COMPANY	31 CHIPPEWA DR OSWEGO, IL 60543-	NA-AU-SAY WOODS	SIGNATURE POOLS & SPAS, INC.
5/5/2021	122021106 12 Swimming Pools	05-07-451-010 JANSEN MEGAN A	76 TIMBERCREEK DR YORKVILLE, IL 60560-	TIMBER CREEK SUB	GREAT ESCAPE

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
2/18/2021	122021034 12 Swimming Pools	02-21-177-014 RATOS JAMES C & JENNIFER L	3150 D CANNONBALL TRL BRISTOL, IL 60512-		QUANTUS POOLS CORP
2/23/2021	122021031 12 Swimming Pools	06-02-300-006 TOM AND ROBIN KEOUGH	1915 JOHNSON ROAD OSWEGO, IL. 60543		SAME
8/23/2021	132021252 13 Decks	01-33-100-016 ZOLNIEROWICZ MARC A & DEBORAH E	15770 A GRISWOLD SPRINGS RD PLANO, IL 60545-	OWNERS RESUB ABERGELDIE DEV	WEST SUBURBAN DECKS, LLC.
8/18/2021	132021244 13 Decks	04-21-105-003 DARCY CHRISTOPHER O & ASHLEY N	15980 S STONEWALL DR NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 4	CREATIVE DECKS - TOM VAN PLEW
7/15/2021	132021226 13 Decks	06-05-151-005 LYNCH CHRISTINA J & MICHAEL T	59 W TIMBERLAKE TRL OSWEGO, IL 60543-	ARROWHEAD HILLS UNIT 2	
6/30/2021	132021207 13 Decks	09-05-100-003 KWIATKOWSKI MATTHEW A & KRISTINE L	12090 GROVE RD MINOOKA, IL 60447-		DON CARTER BUILDERS
7/14/2021	132021205 13 Decks	01-25-454-010 BUZAY LINDA M	12378 ANDREW ST PLANO, IL 60545-	SCHAEFER WOODS NORTH UNIT 3	VALLEY RIDGE
6/4/2021	132021169 13 Decks	02-35-413-004 LEONARD RYAN & KELLY	5586 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	CLEAN EDGE CONSTRUCTION INC.
6/3/2021	132021167 13 Decks	03-09-155-009 SHARP ASHLEY K	139 CIRCLE DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	
6/3/2021	132021164 13 Decks	02-28-152-007 BOSMAN-LOPEZ MARISELA	207 A PLEASURE DR YORKVILLE, IL 60560-	COUNTRYSIDE SUB UNIT 7	GREEN T LANDSCAPING
5/13/2021	132021138 13 Decks	03-07-253-004 PRELL THOMAS	127 KEVIN LN OSWEGO, IL 60543-	SHORE HEIGHTS UNIT 2	

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
7/8/2021	132021220 13 Decks	02-35-203-005 TISCHLER RICHARD P & LEA K	135 COUNTRY RD YORKVILLE, IL 60560-	FARM COLONY UNIT 2	CHRIS BOURQUE
5/18/2021	132021133 13 Decks	02-35-412-005 ONEIL DANIEL & CHRISTIE	5575 FIELDS DR YORKVILLE, IL 60560-	FIELDS OF FARM COLONY UNIT 4	DDT HOME TRANSFORMATIONS,
5/5/2021	132021119 13 Decks	03-24-201-009 KUCYK JOHN A & LAURA	28 PIONEER CT OSWEGO, IL 60543-	EAST KENDALL ESTATES	CLEAN EDGE CONSTRUCTION
4/21/2021	132021102 13 Decks	02-11-127-014 KOEHLER AARON P & JENNIFER	45 S CYPRESS DR BRISTOL, IL 60512-	WILLOWBROOK UNIT 2 AMNDED PLAT	UPPERDECK DESIGN & CONSTRUCTION
4/14/2021	132021085 13 Decks	09-07-200-036 BEARD ROBERT & LISA	13217 GROVE RD MINOOKA, IL 60447-		
8/11/2021	142021241 14 Demolitions	04-16-502-001 ILLINOIS RAILWAY INC	, -		MASTER GUYS DEMOLITION
5/25/2021	142021147 14 Demolitions	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/25/2021	142021145 14 Demolitions	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		MINNESOTA LIMITED
5/11/2021	142021128 14 Demolitions	08-04-300-003 CENTRAL LAND MANAGEMENT INC	12915 ROUTE 47 NEWARK, IL 60541-		
4/26/2021	142021107 14 Demolitions	08-04-100-018 FS GRAIN LLC % GENERAL MANAGER	9512 HELMAR RD NEWARK, IL 60541-		MIDWEST DIRT WORKS
4/19/2021	142021096 14 Demolitions	05-24-400-009 STEWART FARMS LAND HOLDING LLC	9618 B HOPKINS RD YORKVILLE, IL 60560-		

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/13/2021	142021086 14 Demolitions	04-05-300-001 ANR PIPELINE CO	6650 SANDY BLUFF RD SANDWICH, IL 60548-		NEXXTGEN CORPORATION
7/6/2021	142021047 14 Demolitions	05-28-400-002 VELAZQUEZ ROBERTO R	10744 ROUTE 47 YORKVILLE, IL 60560-		SEMPER FI LAND SERVICES INC.
3/4/2021	142021041 14 Demolitions	01-32-226-007 SMITH LAND TRUST % JAMES & SUSAN SMITH	16031 BURR OAK RD PLANO, IL 60545-	DEER RIDGE PUD	SAME
2/2/2021	142021027 14 Demolitions	05-28-400-004 LW WEIDERT FARMS INC.	9017 CATON FARM RD YORKVILLE, IL 60560-		O'DONNELL EXCAVATING & TRUCKING
2/2/2021	142021024 14 Demolitions	03-05-253-032 OSWEGOLAND PARK DISTRICT	0 BOULDER HILL PASS MONTGOMERY, IL 60538-		TBD
3/4/2021	142020301 14 Demolitions	01-17-400-004 YUNDT BARBARA G	2622 CREEK RD PLANO, IL 60545-		
8/23/2021	152021249 15 Electrical Upgrades	01-19-200-009 RAMIREZ JORGE & RY PROPERTY MANAGEMENT CORP	17660 SEDGEWICK RD SANDWICH, IL 60548-		
8/23/2021	152021248 15 Electrical Upgrades	02-23-153-009 REUTER RYAN J & KATHERINE J	9 LINDEN AVE YORKVILLE, IL 60560-	RIVER RIDGE UNIT 1	
7/28/2021	152021233 15 Electrical Upgrades	03-08-279-002 BAUER ANTHONY L	8 PICKFORD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 21	ABC PHCE
5/19/2021	152021139 15 Electrical Upgrades	01-01-200-002 TMF MANAGEMENT LLC/GREG KUPPLER	12127 B GALENA RD PLANO, IL 60545-		OLSON ELECTRIC
5/5/2021	152021123 15 Electrical Upgrades	05-12-228-006 FERGUSON GREGORY L TR & FERGUSON PENNY A TR	6088 WHITETAIL RIDGE DR YORKVILLE, IL 60560-	WHITETAIL RIDGE	BAKER ELECTRIC

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
4/9/2021	152021083 15 Electrical Upgrades	03-04-283-021 WEIGAND JULIE A & RONALD L JR	9 FALLCREEK CIR MONTGOMERY, IL 60538-		ABC PHCE
1/21/2021	152021022 15 Electrical Upgrades	03-23-276-001 CLP GROUP INC / ROBERT MUNGO	3112 ROTH RD OSWEGO, IL 60543-		
4/6/2021	172021067 17 Change in Occupancy	03-06-200-012 325 SOUTH ROUTE 31 LLC	275 ROUTE 31 OSWEGO, IL 60543-		BOB THOMPSON, TANGENT TECHNOLOGIES
7/2/2021	182021211 18 Driveway	03-04-477-031 HARTMAN STEVEN D & MICHELLE L	66 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	J A CONCRETE
6/28/2021	182021202 18 Driveway	05-02-201-006 BADUS MARIA & FRANK E	7405 AUDREY AVE YORKVILLE, IL 60560-	ROSEHILL	
5/6/2021	182021125 18 Driveway	03-04-477-030 HERNANDEZ ANTONIO & PADILLA MARICELA	64 SPRINGDALE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	
5/5/2021	182021124 18 Driveway	09-05-400-018 QUIROZ TEOFILO & NORMA	4080 VAN DYKE RD MINOOKA, IL 60447-		
4/14/2021	182021089 18 Driveway	03-09-101-002 CAMPOS JOSEPH F	21 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	CONCRETOS VAZQUEZ
2/10/2021	182020329 18 Driveway	02-21-200-028 WIESCHHAUS KRISTOPHER T & HILLARY M	9261 KENNEDY RD YORKVILLE, IL 60560-		
7/16/2021	192021228 19 Fire Restoration	03-04-427-021 ZIMMERMAN PATRICIA	171 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	FIRST ONSITE RESTORATION
3/8/2021	192021048 19 Fire Restoration	03-04-377-006 CWT REAL ESTATE HOLDINGS LLC	57 SIERRA RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	LEADS CONSTRUCTION COMPANY LLC

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
1/11/2021	192021016 19 Fire Restoration	03-04-454-020 FELECIANO HEATHER	73 SAUGATUCK RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 19	INVISO SERVICES
6/1/2021	202021163 20 Patio	03-07-229-015 ROWE KEVIN & LEANN	8 DOLPHIN CT OSWEGO, IL 60543-	MARINA TERRACE	CRACK ATTACK TEAM
5/25/2021	202021157 20 Patio	03-04-427-018 TRUJILLO JENARO RODRIGUEZ	163 HEATHGATE RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	SERGIOS LANDSCAPING &
5/18/2021	202021140 20 Patio	03-04-479-005 HURTADO CRISTAL	49 EASTFIELD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 23	F AND J CONSTRUCTION
5/12/2021	202021134 20 Patio	03-04-177-002 GRATON BIANCA & MITCHELL ALEX	79 FERNWOOD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 29	TWINS CONCRETE, LTD.
4/14/2021	202021090 20 Patio	03-09-101-002 CAMPOS JOSEPH F	21 CAYMAN DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 20	CONCRETOS VAZQUEZ
4/6/2021	202021075 20 Patio	03-08-202-029 CERVANTES GILVERTO	5 GUILFORD RD MONTGOMERY, IL 60538-	BOULDER HILL UNIT 14	
4/27/2021	212021115 21 Wind Turbine	08-14-200-003 MCDONALD THOMAS J & DONNA K	14207 CHURCH RD MINOOKA, IL 60447-		
4/15/2021	212021091 21 Wind Turbine	05-29-200-012 KRABER LOGAN & DENA J	10450 IMMANUEL RD YORKVILLE, IL 60560-		
3/5/2021	232021044 23 Generator	06-02-103-003 BLALOCK BRIAN S & CAROL M	1937 WINCHESTER CT OSWEGO, IL 60543-	SOUTHFIELD ESTATES	LEE LEGLER CONSTRUCTION &
3/5/2021	232021043 23 Generator	05-18-203-006 OTTOSEN JOEL D & NANCY A	42 MAPLE RIDGE CT YORKVILLE, IL 60560-	MAPLE GROVE	LEE LEGLER CONSTRUCTION &

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
1/14/2021	232021018 23 Generator	02-36-106-006 BAUGHMAN ROBERT & VICKI	233 FOXTAIL LN YORKVILLE, IL 60560-	FARM COLONY UNIT 2 PHAE 3	BAKER ELECTRIC
1/14/2021	232021017 23 Generator	06-07-130-001 WILSON CHRISTOPHER E &	7148 IRONWOOD CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	NICK MIKENTINAC - NMM INC.
8/6/2021	232021239 23 Generator	05-02-128-005 BRUMMEL KENNETH JR & NATALIE A	6143 SAVANNA CT YORKVILLE, IL 60560-	ROSEHILL	LEE LEGLER CONSTRUCTION &
7/2/2021	232021212 23 Generator	05-03-300-009 BREWER GAIL	6670 WING RD YORKVILLE, IL 60560-		LEE LEGLER CONSTRUCTION AND
6/28/2021	232021201 23 Generator	04-21-125-034 KATH RODNEY L	9186 CHATHAM PL NEWARK, IL 60541-	ESTATES OF MILLBROOK UNIT 3	LEE LEGLER CONSTRUCTION AND
4/21/2021	232021103 23 Generator	06-02-300-018 MARTINEZ ANDRES HERBERT	1585 JOHNSON RD OSWEGO, IL 60543-		ABT ELECTRONICS INCL
4/13/2021	232021087 23 Generator	05-06-351-010 FAMERA GERALD L TRUST	7 HILLSIDE DR YORKVILLE, IL 60560-	PAVILLION HEIGHTS UNIT 4	RITZMAN ELECTRIC INC
3/23/2021	232021058 23 Generator	05-12-228-021 DENANDO PETER M & LORA A	7164 IRONWOOD CT YORKVILLE, IL 60560-	WHITETAIL RIDGE	SATURN
3/5/2021	232021045 23 Generator	02-34-126-002 BAR TEN TRUST	288 TUMA RD YORKVILLE, IL 60560-		LEE LEGLER CONSTRUCTION &
8/23/2021	242021247 24 Solar	09-33-100-005 BINNS DOUGLAS A & BINNS JENNIFER A	3675 HOLT RD MINOOKA, IL 60447-		SUNRUN INSTALLATION
7/28/2021	242021232 24 Solar	02-10-228-002 NELSON LEONARD	39 W LARKSPUR LN BRISTOL, IL 60512-	WILLOWBROOK UNIT 3	VIVINT SOLAR DEVELOPER LLC

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Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
7/6/2021	242021216 24 Solar	01-32-101-001 HUHN EDWARD J & HARRIETTE M	16696 GRISWOLD SPRINGS RD PLANO, IL 60545-	SANDY BLUFF DUTCH ACRES	SUNRUN INSTALLATION SERVICES
7/6/2021	242021215 24 Solar	05-18-203-013 ALARCON ARTURO & MARIA	10 MAPLE RIDGE LN YORKVILLE, IL 60560-	MAPLE GROVE	SUNRUN INSTALLATION SERVICES
7/6/2021	242021214 24 Solar	02-14-251-003 DEARTH CYNTHIA	181 W RICKARD DR OSWEGO, IL 60543-	LYNWOOD EXTENSION 4	SUNRUN INSTALLATION SERVICES
7/6/2021	242021213 24 Solar	03-04-277-031 FRIEND, DAVID P & MENDEZ, NANCY P	18 AFTON DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 27	SUNRUN INSTALLATION SERVICE
6/29/2021	242021200 24 Solar	03-08-304-004 SCHRAMER HERBERT JOHN	1540 ROUTE 31 OSWEGO, IL 60543-	PROSPECT VILLA SUB	WINDSOLEIL INCORPORATED
6/16/2021	242021177 24 Solar	03-04-428-016 RAMIREZ JOSEPH E MARQUEZ	34 SONORA DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 26	SUNRUN INSTALLATION SERVICES
4/27/2021	242021111 24 Solar	03-08-304-001 VALENCIA RUBEN MARTINEZ & BARBARA POWYER REV TRUST	1438 ROUTE 31 OSWEGO, IL 60543-	C G RICKETTS SUB	SUNRUN INSTALLATION SERVICES
4/23/2021	242021101 24 Solar	09-22-400-004 IBARRA JOSE A	2068 BELL RD MINOOKA, IL 60447-		PALMETTO SOLAR
4/15/2021	242021095 24 Solar	03-04-329-013 SMITH ANTHONY DEWONE & NORA LATRICE	33 WHITNEY WAY MONTGOMERY, IL 60538-	BOULDER HILL UNIT 10	FREEDOM FOREVER IL LLC
7/23/2021	242021230 24 Solar	02-15-155-004 DOLCEHOMES INC	11 BRISTOL RIDGE RD BRISTOL, IL 60512-	HUNTSVILLE (ORIGINAL TOWN)	SUNRUN INSTALLATION SERVICES
3/25/2021	242021064 24 Solar	03-04-256-004 AGUIRRE JUANA M & MOSQUEDA ROMUALDO VALLEJO	7 HUNTER DR MONTGOMERY, IL 60538-	BOULDER HILL UNIT 34	SUNRUN INSTALLATION SERVICES

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Permit Approval Date Report
Kendall County

Issue Date	Permit ID Permit Category	Parcel Number Owner Name	Property Address	Subdivision	Contractor Name
3/23/2021	242021063 24 Solar	01-14-300-004 MCLEMEN GREGORY P & SHARON M	2970 ROCK CREEK RD PLANO, IL 60545-		BLISS BROTHERS/BRANDON HAFER
1/14/2021	242021019 24 Solar	01-10-200-004 WYKES JOHN A & CHRISTINE	14176 SEARS RD PLANO, IL 60545-		TRON SOLAR LLC

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PLANNING BUILDING & ZONING RECEIPTS 2021

DATE	BUILDING FEES	ZONING FEES	LAND-CASH	OFFSITE ROADWAY	MONTHLY FY 21	TOTAL FY 21	MONTHLY FY 20	TOTAL FY 20
December	$4,495.00	$2,071.00	$1,814.10	$0.00	$8,380.10	$8,380.10	$16,500.43	$16,500.43
January	$6,161.78	$1,966.50	$5,021.91	$2,000.00	$15,150.19	$23,530.29	$11,918.63	$28,419.06
February	$5,475.00	$2,759.00	$6,910.89	$2,000.00	$17,144.89	$40,675.18	$3,356.00	$31,775.06
March	$14,310.80	$1,987.00	$18,309.57	$2,000.00	$36,607.37	$77,282.55	$26,655.13	$58,430.19
April	$20,812.72	$491.00	$414.41	$0.00	$21,718.13	$99,000.68	$10,787.73	$69,217.92
May	$12,806.06	$1,679.00	$8,132.75	$1,000.00	$23,617.81	$122,618.49	$23,443.29	$92,661.21
June	$27,942.04	$2,584.00	$11,461.51	$1,000.00	$42,987.55	$165,606.04	$40,945.81	$133,607.02
July	$9,546.24	$949.00	$0.00	$0.00	$10,495.24	$176,101.28	$18,116.22	$151,723.24
August	$8,051.32	$4,592.00	$4,134.55	$1,000.00	$17,777.87	$193,879.15	$10,631.62	$162,354.86
September					$0.00		$24,800.06	$187,154.92
October					$0.00		$16,804.62	$203,959.54
November					$0.00		$4,518.96	**$208,478.50**
TOTAL	**$109,600.96**	**$19,078.50**	**$56,199.69**	**$9,000.00**	**$193,879.15**			