KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Historic Court House
Court Room
110 W. Madison Street, Yorkville, Illinois
6:30 p.m.
Meeting Minutes of September 8, 2025

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

ROLL CALL
Committee Members Present: Brian DeBolt, Elizabeth Flowers, Dan Koukol, Ruben Rodriguez (Vice Chairman), and Seth Wormley (Chairman)
Committee Members Absent: None
Also Present: Matthew H. Asselmeier, Director, Wanda A. Rolf, Claire Wilson, Fran Miller, Jordan Quezada, Irma Quezada, Jo Beth Larkin, Dan Larkin

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

APPROVAL OF MINUTES
Member DeBolt made a motion, seconded by Member Flowers, to approve the minutes of the August 14, 2025, meeting. With a voice vote of five (5) ayes, the motion carried.

PUBLIC COMMENT
Claire Wilson, Attorney for the Petitioner, spoke about Petitions 25-09 and 25-10. The Petitioner wishes to rezone the northerly property to R-1 at 14874 Brisbin Road, Minooka in order to build a house. The Petitioner wishes to rezone the southerly property to R-1 at 14918 Brisbin Road, Minooka in order to build a house. Ms. Wilson stated that both Petitions were approved by the Seward Township Board of Trustees. She also mentioned that the Zoning Board of Appeals ZBA approved Petition 25-09 and denied Petition 25-10. The reason being drainage and field tiles.

In 2022, the Quezada's requested to rezone the portions of the properties to R-1 in order to build two (2) houses.

The Petitioner would like to rezone the subject areas in order to build two (2) more homes.

Member Rodriguez requested information on the LaSalle factors.

Expenditure Report

Review of Expenditures from the Previous Month

The Committee reviewed the Expenditure Report.

Quarterly Expenditure Update

The Committee reviewed the fiscal year to date information and the Escrow Report.

PETITIONS

Petitions 25-09 and 25-10 Irma Loya Quezada

Mr. Asselmeier summarized the requests.

The Petitioner is requesting a map amendment rezoning approximately three point two (3.2) acres of the northwest corner of 14874 Brisbin Road, Minooka from A-1 Agricultural District to R-1 One Family Residential District in order to construct one (1) house. The Petitioner is also requesting a map amendment rezoning approximately three point two (3.2) acres of the southwest corner of 14918 Brisbin Road, Minooka from A-1 Agricultural District to R-1 One Family Residential District in order to construct one (1) house.

The Petitioner plans to use Plat Act exemptions to divide the larger parcel.

The agricultural building permits for the parcels were used in 2003 and 2004. The only way houses can be constructed on the subject parcels is by obtaining the requested map amendment.

The southwest corner of the northern parcel was rezoned to R-1 in 2022 by Ordinance 2022-15 and the northwest corner of the southern parcel was also rezoned to R-1 in 2022 by Ordinance 2022-15.

The application materials, plat of survey, and Ordinance 2022-15 were provided.

The northern property is approximately ten point three-seven more or less (10.37 +/-) acres total with approximately three-point two plus or minus (3.2 +/-) acres proposed for rezoning. The southern property is approximately ten point four-two plus or minus (10.42 +/-) acres total with approximately three-point two plus or minus (3.2 +/-) acres proposed for rezoning.

The existing land use for the northern parcel is Agricultural. The existing land use for the southern parcel is Agricultural and Single-Family Residential.

The future land use is Rural Estate Residential (Max 0.45 Du/Acre).

Brisbin Road is a Township maintained Major Collector.

There are no trails planned for the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are Agricultural, Farmstead, Single-Family Residential, and Hogan's Market.

The adjacent properties are zoned A-1 and A-1 SU.

The County's land plan calls for the area to be Agricultural and Rural Estate Residential. The Village of Plattville's plan calls for the area to be Low Density Residential.

The properties within one half (1/2) mile are zoned A-1, A-1 SU, and R-1.

The A-1 special use to the west is for the sale of agricultural products, art, pottery, and home décor not produced on the premises (Hogan's Market).

EcoCat submitted on July 22, 2025, and consultation was terminated.

NRI application submitted as part of the rezoning request in 2022. The LESA Score was 199 indicating a low level of protection. The NRI Summary Report was provided.

Seward Township was emailed information on July 24, 2025. The Seward Township Planning Commission met on August 5, 2025, and recommended denial of the proposal by a vote of three (3) against the proposal and one (1) in favor of the proposal. The reasons for denial were as follows: The same family rezoned their original ten (10) acres three (3) years ago to allow for two (2) residential homes and now they are re-zoning once again on the two (2) remaining properties. Row after row of houses rezoned to residential along rural roads was not the intention of the residential plan put in place by the county in the Comprehensive Plan and Seward Township approved a new Comprehensive Plan that shows the area as Agricultural and not Residential. An email with this information was provided.

The Seward Township Board met on August 12, 2025, reviewed the proposal on August 12, 2025, and recommended approval by a vote of three (3) in favor and two (2) in opposition upon recommendation by their attorney. The minutes of the meeting were provided.

The Village of Plattville was emailed information on July 24, 2025. No comments received.

The Lisbon-Seward Fire Protection District was emailed information on July 24, 2025. No comments received.

ZPAC reviewed this proposal at their meeting on August 6, 2025. Discussion occurred regarding the conflict between the Seward Township Plan and the County Land Resource Management Plan. ZPAC voted to forward the proposal 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.

The Kendall County Regional Planning Commission reviewed this proposal at their meeting on August 27, 2025. Three (3) residents discussed drainage in the area on the subject property, in particular. Discussion occurred regarding zoning and the buildability of property. Discussion occurred regarding traffic and the increased number of driveways on Brisbin Road. Discussion occurred regarding the difference between the County's plan and Seward Township's plan and the care taken to plan in the area. Discussion occurred regarding Seward Township assisting the County financially if a lawsuit arose from denying the request. Discussion occurred about spot zoning and incorporating primary and secondary growth areas in the County's new Comprehensive Plan. One (1) neighbor stated that she did not receive notice of the request; this will be investigated. The Kendall County Regional Planning Commission voted to forward the proposal to the Zoning Board of Appeals by a vote of five (5) in favor, four (4) in opposition and one (1) abstention. The minutes of the meeting were provided.

The Kendall County Zoning Board of Appeals held a public hearing on this proposal on September 2, 2025. Discussion occurred regarding the forty (40) acre rule and Plat Act exemptions. Scott Cryder, Seward Township Highway Commissioner, discussed the drainage of the area and drain tile that runs through the southern parcel proposed for rezoning. Discussion occurred regarding zoning and buildability. Discussion also occurred about relocating drain tile. Fran Miller, Seward Township Trustee, noted that the Seward Township Planning Commission and Seward Township Board recommended denial of the original rezoning request in 2022. She noted that Seward Township's Plan calls for the area to be agricultural. She discussed if the Quezadas were aware when they purchased the property that no permits were available. She asked if inspections would occur as part of the building process. As R-1 properties, building inspections would occur. The Health Department would inspect the septic systems. Ms. Miller quoted the Petitioner's response from 2022 regarding drainage and the best areas to rezone to R-1; drainage was the reason only the original portions of the properties were rezoned in R-1. Jo Beth Larkin noted that one (1) of the findings of fact was that the proposal must be in the public's interest and not solely in the interest of the Petitioner. She discussed the importance of the water situation in the area. She questioned if the back portions of the properties could be rezoned to R-1. Discussion occurred regarding access and frontage requirements. Don Larkin discussed the drainage through the northern parcel. Dan Larkin also discussed drainage and the difficulties of re-routing tile. The Petitioner's husband discussed how they currently handle drainage. The Petitioner's Attorney provided a letter from 2022 from HD Backhoe Service regarding drain tile. The Petitioner's Attorney also provided a plat of survey showing the locations of future houses. Aaron White felt that more attention should be paid regarding the water issue from a proactive standpoint instead of a reactive standpoint. Discussion occurred regarding the building permit review process. The Zoning Board of Appeals recommended approval of Petition 25-09 by a vote of four (4) in favor and one (1) in opposition; two (2) members were absent. Member Cherry voted no because of the drainage issues. The Zoning Board of Appeals recommended denial of Petition 25-10 by a vote of three (3) in favor and two (2) in opposition; two (2) members were absent. Four (4) positive votes are required to rule in favor

of the applicant. Member Cherry voted no because of the drainage issues. Chairman Mohr also voted no on the drainage issues and he was against having houses on three (3) acre lots in this area. The minutes of hearing were provided.

The Petitioner desires to rezone the subject property in order to build one (1) house.

Any new homes or accessory structures would be required to meet applicable building codes.

No public or private utilities are onsite.

The properties front Brisbin Road. Staff has no concerns regarding the ability of Brisbin Road 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 are 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 the Kendall County Code.

The Findings of Fact for Petition 25-09 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 R-1, A-1, or A-1 SU for the sale of agricultural products, art, pottery, and home décor not produced on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently mostly zoned A-1 with the southwest corner zoned R-1. The agricultural housing allocations for the subject property have already been used and no new single-family homes can be constructed on the subject property without a map amendment and division of the property.

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 Estate Residential. The R-1 One Family Residential District is consistent with the Rural Estate Residential classification.

The Findings of Fact for Petition 25-10 were as follows; Member Cherry dissented:

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 R-1, A-1, or A-1 SU for the sale of agricultural products, art, pottery, and home décor not produced on the premises.

The suitability of the property in question for the uses permitted under the existing zoning classification. The property is presently mostly zoned A-1 with the northwest corner zoned R-1. The agricultural housing allocations for the subject property have already been used and no new single-family homes can be constructed on the subject property without a map amendment and division of the property.

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 Estate Residential. The R-1 One Family Residential District is consistent with the Rural Estate Residential classification.

Staff recommended approval of the proposed map amendments because the proposals are consistent with the Land Resource Management Plan.

The draft ordinances were provided.

Member Flowers asked if the Petitioners already had two (2) parcels zoned R-1. Mr. Asselmeier stated that the Petitioner has portions of two (2) parcels zoned R-1 and one (1) house was built on one (1) of the parcels.

Member Koukol stated he recalled when the Petitioner requested the R-1 zoning in 2022. He approved it because it was more tax revenue for the county.

Member Koukol asked where the drain tile was located on the image and in which parcel. Mr. Asselmeier presented the image of the southerly parcel that showed the drain tile, which is petition 25-10. Member Koukol asked where the flow of water goes. Mr. Asselmeier stated it goes through the northwest cutting into the southeast. The area is proposed to be rezoned.

Member Koukol asked if the Petitioner live in the house. Ms. Wilson said yes.

Discussion occurred about approving the property on the northerly parcel 25-09 and denial of the southerly parcel 25-10.

Member DeBolt asked if there were any utilities on the property. Mr. Asselmeier stated there were utilities where the house was located.

Member Koukol made a motion, seconded by Member DeBolt, to recommend approval of Petition 25-09.

The votes were as follows:

Yeas (5): Koukol, Rodriguez, Wormley, DeBolt and Flowers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the Kendall County Board on September 16, 2025, on the regular agenda.

Mr. Asselmeier spoke about Petition 25-10. This property already has a house on it. The Zoning Board of Appeals recommended denial of this proposal. Three (3) members were in favor two (2) were in opposition and two (2) were absent. Four (4) positive votes were required to rule in favor of the applicant. Member Cherry voted no because of drainage. Member Mohr voted no because of drainage and was not in favor of having three (3) acre lots in the area.

Member DeBolt asked how big the drainage tile was. Mr. Asselmeier stated it was approximately fifteen inches (15”) maximum, based on information from the neighbors.

Mr. Quezada stated the drain tile was six to twelve inches (6”-12”). Member DeBolt stated that if the current residents wanted to sell their property and a contractor came and wanted to build on a buildable lot, they may damage the drain tile. Member DeBolt has seen it happen before where builders come in and cut the drain tile and the

neighboring residents feel the repercussions. He stated the drain tile is a major field tile that many farmers tie into and depend on it to work properly.

Member Koukol asked if there were any comments from Seward Township. Fran Miller who is one of the trustees stated she was in her position since May. She doesn't have intimate knowledge of what happened in 2022. The Seward Township Planning Commission voted three (3) to one (1) in opposition. Ms. Miller stated the township board voted to approve it after the township attorney mentioned the LaSalle Factors. Member Wormley stated it was a split vote.

Member Koukol asked if there was an ordinance that states someone can or cannot plant a willow tree. Ms. Miller stated that she is not aware of any.

Member DeBolt asked Ms. Miller what the main concern was for voting in opposition. Ms. Miller responded that drainage was one (1) of the reasons, also that the owners requested a zoning change in 2022, and three (3) years later are asking for another zoning change. Seward Township's Plan calls for the property to be A-1. Ms. Miller stated there was a disconnect between the Township and the County.

Member DeBolt stated there were other properties in the area that have buildable lots and it can be a benefit because of the tax revenue. In this case Member DeBolt will vote in opposition to Petition 25-10 because of the drainage.

Member Rodriguez stated he will vote in opposition to Petition 25-10 because of the drainage.

Ms. Wilson stated that it would be foolish for anyone to build or interfere with the field tile. Ms. Wilson stated that the Petitioner will have acquire a building permit. The current Petition is not to build on the property, it is to rezone the property to R-1.

Member Rodriguez asked if the Petitioner had approval on one (1) house or more. Mr. Asselmeier stated that the approval was for two (2) houses. Member Rodriguez stated it was hard to approve the southerly lot.

Chairman Wormley, asked if the two (2) parcels were approved how would the owner get access to the agricultural section of the lot. Ms. Wilson stated that they would reroute the driveway to obtain access to the agricultural section.

Chairman Wormley stated that it is important to work on the future land use map to avoid these types of issues.

Member Flowers made a motion, seconded by Member DeBolt, to recommend approval of Petition 25-10.
The votes were as follows:

Yeas (0): None
Nays (5): Flowers, Koukol, Rodriguez, Wormley, and DeBolt
Abstain (0): None

Absent (0): None

The motion carried.

The proposal goes to the Kendall County Board on September 16, 2025, on the regular agenda

Petition 25-13 Mikol's Construction on Behalf of Colt T. Neumann
Mr. Asselmeier summarized the request.

A fifteen-foot (15') drainage and utility easement presently exists between Lots 50 and 51 in Henneberry Woods Subdivision. The Petitioner owns the subject lots and would like to construct a home in the center of the combined lots.

The property is located at 4771 Cherry Road and 4756 Waa-Kee-Sha Drive, Oswego, in Na-Au-Say Township.

The property is approximately one point five (1.5) acres in size.

The property is zoned RPD-2 and is currently vacant residential land.

The County's Future Land Use Map calls for the property to be Rural Residential (Max 0.65 Du/Acre).

Waa-Kee-Sha Drive and Cherry Road are Township Roads classified as Local Roads.

There are no trails planned in the area.

There are no floodplains or wetlands on the property.

The adjacent land uses are Single-Family Residential.

The adjacent properties are zoned RPD-2.

The County's Future Land Use Map calls for the area to Rural Residential (Max 0.65 Du/Acre).

Na-Au-Say Township was emailed information on July 31, 2025. On August 4, 2025, Na-Au-Say Township Supervisor Eric Bernacki and Na-Au-Say Township Road Commissioner David Wheeler recommended the frontage of the combined lots being on Waa-Kee-Sha Drive. This email was provided. The Petitioner was agreeable to this request.

The Village of Oswego was emailed information on August 11, 2025. No comments have been received.

The Oswego Fire Protection District was emailed information on August 11, 2025. The Oswego Fire Protection District submitted an email on August 13, 2025, with no comments on the proposal.

ZPAC reviewed the proposal at their meeting on September 2, 2025. It was assumed that, if the utilities signed off on the plat, no infrastructure was located or planned to be placed inside the subject easement. ZPAC recommended approval of the proposal 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 application materials and the plat of vacation were provided.

All of the utilities signed the plat approving the vacation.

On July 29, 2025, a representative from the Henneberry Woods Homeowners' Association submitted a letter stating the HOA approved the combination of lots, contingent upon approval by the Architectural Review Committee. This letter was provided.

On July 31, 2025, WBK Engineering submitted an email expressing no opposition to the request. This email was provided.

Staff recommended approval of the requested plat of vacation provided that Lots 50 and 51 remain under the same ownership and that front yard access comes from Waa-Kee-Sha Drive.

The draft ordinance was provided.

Member Koukol made a motion, seconded by Member Flowers, to recommend approval of the vacation with the conditions proposed by Staff.

The votes were as follows:

Yeas (5): Koukol, Rodriguez, Wormley, DeBolt, and Flowers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the Kendall County Board on September 16, 2025, on the consent agenda.

Petition 25-16 Wayne J. Skoff on Behalf of 1st Midwest Trust #72-22350
Mr. Asselmeier summarized the request.

On November 20, 2001, the Kendall County Board granted a special use permit for indoor storage of boats, recreational vehicles, classic cars at the subject property. Ordinance 2001-30 was provided.

Ordinance 2001-30 revoked a previously granted special use permit for a commercial poultry farm. That revocation would remain in effect.

Condition 10 of the special use permit required a right-of-way dedication. Staff was unsure if the dedication occurred.

On August 26, 2025, the Petitioner submitted a request for voluntary revocation of the special use permit. This request is attached to the draft revocation ordinance.

The draft revocation ordinance was provided.

The subject property is zoned A-1. If the special use permit is revoked, the property will retain its A-1 zoning classification.

Member Koukol made a motion, seconded by Member DeBolt, to recommend approval of the revocation.

The votes were as follows:

Yeas (5): Koukol, Rodriguez, Wormley, DeBolt, and Flowers
Nays (0): None
Abstain (0): None
Absent (0): None

The motion carried.

The proposal goes to the Kendall County Board on September 16, 2025, on the consent agenda.

NEW BUSINESS:

Special Use Enforcement Update

Mr. Asselmeier provided the Committee with an update on the special use permits that require annual review and renewal. All of the special use permits that required annual review or renewal were in compliance expect the former Camp Quarryledge site. The outdoor storage special use permit for Four Seasons Storage expires December 31, 2025; they likely will ask for an extension.

Mr. Asselmeier also reported that special use permits that appeared inactive or were required to submit right-of-way dedications were sent letters in August asking if they would like to remain or come into compliance.

Approval to Change the October 2025 Kendall County Planning, Building and Zoning Meeting Date and Time

Mr. Asselmeier reported that the October meeting conflicted with Columbus Day. The consensus of the Committee was to move the meeting to, Tuesday, October 14, 2025, at 4:30 p.m.

OLD BUSINESS:

Update on the Comprehensive Plan Update Project
Mr. Asselmeier reported that Teska Associates completed five (5) workshops for gathering information. They completed the survey component of the project. They are currently working on the draft components of the proposal of the plan. Teska Associates will have a meeting with the townships and County regarding the WIKADUKE Trail. They will provide an update on October 22 where they will make provisions and have a joint meeting with the Comprehensive Land Plan and Ordinance Committee and Regional Planning Commission on December 10, 2025, to go over the material. Teska will schedule an additional round of workshops to present the proposal to the residents and receive their input.

Update on Stormwater Permit at 13039 McKanna Road (PIN: 09-09-100-002) in Seward Township; Committee Could Approve the Issuance of a Citation
Mr. Asselmeier provided an email from August from the Petitioner stating they were waiting on the Illinois Department of Natural Resources Permit. No updates from IDNR.

Updates on Amendments to the County-Wide Stormwater Management Ordinance Division of the Kendall County Code
Mr. Asselmeier provided an email from Greg Chismark requesting an update from FEMA on the review of the proposed amendments. No updates from FEMA.

REVIEW PRE-VIOLATION AND VIOLATION REPORT:
The Committee reviewed the report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION:
Mr. Asselmeier reported there is no update from the Historic Preservation Commission.

REVIEW PERMIT REPORTS:
The Committee reviewed the report.

REVIEW REVENUE REPORT:
The Committee reviewed the report.

CORRESPONDENCE
None

COMMENTS FROM THE PRESS:
None

EXECUTIVE SESSION
None

ADJOURNMENT:
Member Wormley made a motion, seconded by Member DeBolt to adjourn. With a voice vote of five (5) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:37 p.m.

Minutes prepared by Wanda A. Rolf, Part-Time Office Assistant

Enc.

KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
SEPTEMBER 8, 2025

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)
Claire M. Wilson	P.O. Box 344 Channahon, IL 60410	cwilsonlaw@gmail.com
Fran Miller		
Jordan		