

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE

Kendall County Office Building

County Boardroom

504 S. Main Street, Yorkville, Illinois

6:30 p.m.

Meeting Minutes of April 13, 2026

CALL TO ORDER

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

ROLL CALL

Committee Members Present: Brian DeBolt, Dan Koukol, Ruben Rodriguez (Vice Chairman), and Seth Wormley (Chairman)

Committee Members Absent: Elizabeth Flowers

Also Present: Matthew H. Asselmeier, Director, Wanda Rolf, Part-Time Office Assistant, Brian Holdiman, Code Official, and Brad Berns

APPROVAL OF AGENDA

Member DeBolt made a motion, seconded by Member Rodriguez, to approve the agenda. With a voice vote of four (4) ayes, the motion carried.

APPROVAL OF MINUTES

Member Koukol made a motion, seconded by Member Rodriguez, to approve the minutes of the March 9, 2026, meeting. With a voice vote of four (4) ayes, the motion carried.

PUBLIC COMMENT

None

Expenditure Report

Review of Expenditures from March 2026

The Committee reviewed the Expenditure Report.

PETITIONS

Petitions 26-09 Kendall County Planning, Building and Zoning Department

Mr. Asselmeier summarized the request.

The County last updated the version of the various building codes in 2019.

This proposal updates most of the various codes to their 2024 versions, adds a property maintenance code, and increases the fees for various building permits.

Kendall County has not increased building permit fees since June 1, 2014. Staff proposes a twenty-five percent (25%) increase to most categories of permits. Two main exceptions would include new single-family homes increasing from One Thousand, Eight Hundred Dollars (\$1800) to Three Thousand Dollars (\$3000) and new cellular communication towers increasing from One Thousand (\$1000) to Five Thousand Dollars (\$5000).

The number of inspections required for a new home have increased and the complexity of inspections has also increased. Staff time has increased to perform inspections and plan reviews creating additional workload and staff at a cost to the County.

A copy of the proposed ordinance was provided.

Member Koukol made a motion, seconded by Member Rodriguez, to recommend approval of Petition 26-09.

Member DeBolt asked if the permit fee increases are statewide or is the county increasing fees on building permits. Chairman Wormley answered that the county is increasing the permit fees. He explained that there have been no changes to the fees in ten (10) years. Member Koukol agreed that there is a need to adjust to the permit fee structure.

Mr. Asselmeier stated that there were two (2) fees that were accidentally missed. The state has changed the building permit fees for commercial wind and solar to be Five Thousand Dollars (\$5000) for each megawatt of nameplate capacity of the energy facility up to Seventy-Five Thousand Dollars (\$75,000). Also, for energy storage systems such as battery storage the State is allowing counties to charge Five Thousand Dollars (\$5000) per megawatt up to Fifty Thousand Dollars (\$50,000) as part of the building permit fee structure.

Member DeBolt asked about if the increase would apply to some of the solar projects that have been approved. Mr. Asselmeier stated that it would impact the ones that have been approved, but have not been built yet. There are several solar farm proposals that are going through the special use permit process, those will be impacted.

Member Koukol asked what was the average megawatt for solar farms. Mr. Asselmeier stated it was four point seven five to five (4.75 to 5) megawatts and it would be a one (1) time fee.

Chairman Wormley asked whether any commercial building permits had been pulled for commercial solar. Mr. Asselmeier responded so far one (1) permit has been pulled and built.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Wormley and DeBolt

Nays (0): None

Abstain (0): None
Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Board on April 21, 2026, on the consent agenda.

Petitions 26-10 Kendall County Planning, Building and Zoning Department

Mr. Asselmeier summarized the request.

Previously, from an application fee perspective, the Kendall County Planning, Building and Zoning Department treated applications for commercial wind and commercial solar facilities the same as other special use permits.

On January 8, 2026, the Governor signed Public Act 104-0458 into law. Among many other items, the Act set the fee that a County may charge for special use permits for commercial wind and commercial solar applications at Five Thousand Dollars (\$5,000) per megawatt of nameplate capacity of the facility up to a maximum of One Hundred Twenty-Five Thousand Dollars (\$125,000) and Five Thousand Dollars (\$5,000) per megawatt of nameplate capacity of the energy storage system or Fifty Thousand Dollars (\$50,000), whichever is less, for energy storage system applications.

This Petition would amend the Department's fee schedule to match State law.

The above fees would apply to new special use permits and major amendments to existing special use permits for these types of uses.

The existing fee for special use permits on A-1 zoned property is One Thousand, One Hundred Fifty-Five Dollars (\$1,155) and would remain unchanged for non-commercial wind, solar, and energy system special use permits.

A copy of the proposed ordinance was provided.

The Department plans to propose zoning text amendment related changes caused by the enactment of Public Act 104-0458 this summer.

Member DeBolt made a motion, seconded by Member Koukol, to recommend approval of Petition 26-10.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley
Nays (0): None
Abstain (0): None
Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Board on April 21, 2026, on the consent agenda.

Petition 26-11 Brad D. and Sarah K. Berns

Mr. Asselmeier summarized the request.

Section 30-165 (c) (10) (d) of the Kendall County Code (Subdivision Control Ordinance) sets the maximum grade of a driveway at ten percent (10 %).

The Petitioners would like to construct a driveway with a maximum grade of twelve-point five percent (12.5%)

The Petitioners submitted an email outlining the reasons for the exception. These reasons are as follows:

To install a driveway staying under the ten percent (10%) maximum grade and keeping the entrance inside the driveway easement would require the following:

1. Minimum three hundred feet (300') long driveway.
2. The lot is only one hundred forty feet (140') wide so this would require two (2) switchbacks with the minimum driveway width and clear area on the sides of the driveway.
3. To keep minimum turning radiuses in the switchbacks for emergency vehicles and minimum clear space on either side of the driveway, the Petitioners would need to cut down all of the mature trees on the downslope.
4. Large amounts of earthmoving, and the construction of long retaining walls, would make the project cost prohibitive.

To complete a driveway with a twelve point five percent (12.5%) slope:

1. Minimum two hundred forty (240') long driveway.
2. Can be completed with one (1) switchback with wider driveway.
3. Larger turning radius can be achieved with mature trees left intact.
4. Matches natural slope and would require much less earthmoving and construction of only a few low retaining walls under three feet (3') that can be built without engineering with normal interlocking stone readily available.

This email was provided. The site plan was provided.

The subdivision, Fox Woods Estates, was platted in 1979 and no house has ever been constructed on the parcel.

The property is south of 11453 River Road, Plano, in Bristol Township.

The property is just over one (1) acre in size.

The property is zoned R-3 One-Family Residential District.

The County's future land use map calls for the property to be Rural Residential (0.60 DU/Acre Max) and Yorkville's future land use map calls for the property to be Estate/Conservation Residential.

River Road is a Minor Collector maintained by Bristol Township.

Yorkville has a trail planned along River Road.

A small portion of the property at the southern end is in the flood plain.

The adjacent land uses are Agricultural, Single-Family Residential, Vacant Single-Family Residential, Fox River, and Forest Preserve.

The adjacent properties are zoned A-1 and R-3.

The County's plan calls for this area to be Rural Residential and Open Space. Yorkville's plan calls for this area to be Estate/Conservation Residential and Parks and Open Space.

Petition information was sent to Bristol Township on March 27, 2026. No comments were received.

Petition information was sent to Bristol-Kendall Fire Protection District on March 27, 2026.

On March 27, 2026, the Bristol-Kendall Fire Protection District submitted an email stating they had no objections to the request. This email was provided.

Petition information was sent to the United City of Yorkville on March 27, 2026.

On March 30, 2026, the United City of Yorkville submitted an email stating they had no concerns. This email was provided.

Petition information was sent to ZPAC members on March 27, 2026.

On March 27, 2026, the Highway Department submitted an email saying they had no concerns. This email was provided.

On March 27, 2026, the Health Department submitted an email saying they did not object to the proposal. This email was provided.

On March 27, 2026, WBK Engineering submitted an email saying they did not have any comments. This email was provided.

The Findings of Fact were as follows:

Because of the particular physical surroundings, shape or topography conditions of the specific property involved a particular hardship to the owner would result as distinguished from a mere inconvenience, if the strict letter of the regulations was carried out. The Petitioner has provided evidence that, based on topographical conditions, a greater slope is necessary in order to reduce switchbacks, maintain mature trees, and reduce earthmoving.

The conditions upon which the request for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property, and have not been created by any person having an interest in the property.

The slope and size of the property were not created by the Petitioner. Other properties along the Fox River could request similar exceptions.

The purpose of the variation is not based exclusively upon a desire to make more money out of the property. The purpose of the request is to preserve mature trees and construct a home on the property.

The granting of the variation will not be detrimental to the public safety, health, or welfare, or injurious to other property or improvements in the neighborhood in which the property is located. The granting of the exception will not be detrimental to the public safety, health, welfare, or neighborhood in which the property is located.

Staff recommended approval of the requested exception.

The draft ordinance was provided.

Member Koukol made a motion, seconded by Member DeBolt, to recommend approval of Petition 26-11 with the conditions proposed by Staff.

Member DeBolt asked the Petitioner, Brad Berns, if he understood the grading of twelve-point five percent (12.5%) for a driveway. The Petitioner answered yes, he understood.

Member Koukol asked the Petitioner, if the Petition was approved when would he start the project. Mr. Berns stated that he must hire an engineer to draw up the new driveway. The Petitioner currently has the plans for a house and he hopes to break ground in the middle of summer.

Member DeBolt asked if he plans to reside on the property. Mr. Berns stated that he does intend to live on the property.

Member Rodriguez asked how far the drop was to where the house would be built. Mr. Berns responded it was about twenty-eight feet (28') to the top of the foundation.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Wormley, DeBolt

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Board on April 21, 2026, on the consent agenda.

NEW BUSINESS:

Approval of Amendments to the Intergovernmental Agreement between the Village of Millbrook and the County of Kendall Dated August 20, 2024, by Adding the County's

Short-Term Rental Regulations to the List of Regulations Administered within the Village of Millbrook, Amending the County's Address, and Amending the Adoption Procedures for Various Zoning Applications to Reflect the Abolishment of the Zoning and Platting Advisory Committee

Mr. Asselmeier summarized the request.

The County approved an intergovernmental agreement with Millbrook in August 2024.

Since the approval of the intergovernmental agreement, the County has established business regulations for short-term rentals, abolished the Zoning and Platting Advisory Committee, and moved certain offices to 504 S. Main in Yorkville.

The proposal would amend the existing intergovernmental agreement with Millbrook to reflect the above change.

As proposed, no change to the expiration date of the intergovernmental agreement is proposed.

The Village of Millbrook will consider these amendments at their meeting on April 28, 2026.

Member DeBolt made a motion, seconded by Member Rodriguez, to recommend approval of the intergovernmental agreement.

Member DeBolt asked when these changes would become effective. Mr. Asselmeier stated the changes would take effect once the last governing body signs agreement.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley
Nays (0): None
Abstain (0): None
Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Board on April 21, 2026, on the consent agenda.

Approval of Intergovernmental Agreements Between Kendall County and the Following Townships Regarding the Creation of a Stormwater Management Plan; the Applicable Township Shall Pay Kendall County \$3,000

- a. Kendall County and Oswego Township
- b. Kendall County and Bristol Township
- c. Kendall County and Kendall Township
- d. Kendall County and Na-Au-Say Township

Mr. Asselmeier summarized the requests.

Kendall County last updated its Stormwater Management Plan in 2012.

The Planning, Building and Zoning Department was planning to update the Plan in FY25-26.

However, on December 15, 2025, the Illinois Environmental Protection Agency conducted an inspection of the County and advised the County that the Plan needed to be updated by August 1, 2026, in order to comply with the County's MS4 Permit.

Also at the December 15th meeting, discussion occurred regarding the County's MS4 jurisdiction. Four (4) townships (Oswego, Bristol, Na-Au-Say, and Kendall) are MS4s. The County Stormwater Management Plan does not have jurisdiction in the MS4 Townships, without Intergovernmental Agreements. At the February 9, 2026, Planning, Building and Zoning Committee meeting, the Committee favored offering to include the MS4 townships in the planning process if they individually contributed Three Thousand Dollars (\$3,000) to the project.

The proposed intergovernmental agreements would include the MS4 townships in the planning process. As noted in the agreements, none of the parties are bound to approve the Plan. If a party does not approve the Plan, the party would still have to create their own Plan. The scope of the agreements is for the preparation of the Plan; the individual parties would be responsible for implementing the Plan.

The provided intergovernmental agreements are the same, except the individual township is identified as a party in their respective agreement and the township's point of contact in Section 10 are specific to the individual township.

The State's Attorney's Office has reviewed the template agreement.

If approved by the Committee, the Administration Department would like for the townships to approve their respective agreement before final approval is considered by the County Board.

Member Rodriguez asked, if the townships were to do project on their own, how much would it cost them. Mr. Asselmeier stated that, last year the County Board approved Twelve Thousand Dollars (\$12,000) for the project WBK raised the cost to Twenty Thousand Nine Hundred Dollars (\$20,900) because more townships would be added.

Member Rodriguez made a motion, seconded by Member Koukol, to recommend approval of the intergovernmental agreements between Kendall County and Oswego Township, Kendall County and Bristol Township, Kendall County and Kendall Township, and Kendall County and Na-Au-Say Township

The votes were as follows:

Yeas (4): Rodriguez, Wormley, DeBolt, and Koukol

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried. The proposals will be sent to the respective townships and placed on the Kendall County Board consent agenda as they are received from the townships.

Approval of an Amended Notice of Intent for New or Renewal of General Permit for Discharges from Small Municipal Separate Storm Sewer Systems (MS4's)

Mr. Asselmeier summarized the request.

At their meeting in December 2025, the County Board approved Kendall County's General Permit for Discharges from Small Municipal Separate Storm Sewer Systems.

However, on December 15, 2025, the Illinois Environmental Protection Agency conducted an inspection of the County and advised that the County's MS4 jurisdiction did not include the four (4) townships that are their own MS4. Specifically, information related to Oswego, Bristol, Kendall, and Na-Au-Say Townships should not be included in the County's Permit.

Accordingly, the following amendments are proposed to the Notice of Intent:

1. The County's population was reduced to reflect the population of the unincorporated area in the five (5) non-MS4 townships.
2. The County's address was updated to 504 S. Main Street, Yorkville.
3. The area of land was reduced to reflect the square miles of the unincorporated area of the five (5) non-MS4 townships.
4. In F.1, additional training information was included.
5. In F.2, additional information was added regarding inspections of stormwater discharges and municipal facilities
6. In F.4, a catch basin cleaning schedule and street sweeping cleaning schedule were added.
7. In F.6, recording keeping information was updated.

The proposed amended Notice of Intent was provided.

Member DeBolt made a motion, seconded by Member Rodriguez, to recommend approval of the amended Notice of Intent.

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley
Nays (0): None
Abstain (0): None

Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Board on April 21, 2026, on the consent agenda.

OLD BUSINESS:

Special Use Enforcement Update

Mr. Asselmeier provided the following update.

At the February meeting, the PBZ Department reported that we were working with property owners at Boulder Hill Market, Budd Road, Ament Road, and Collins Road to address certain special use permit issues. The Department is still investigating the issue at Boulder Hill Market. The owner of the property on Ament Road continues to work with the County to come into compliance. The violation notice was sent to the owner of the property on Budd Road on February 27th and the owner is waiting for the weather to improve in order to install the required asphalt driveway. Th citation is still pending for the property in the 2000 block of Collins Road.

The properties on the list of licensed daycare centers provided by the Circuit Clerk’s Office have been added to the pre-violation report. There are four (4) remaining properties and the follow-up dates for all four (4) properties is April 27th.

REVIEW PRE-VIOLATION AND VIOLATION REPORT:

The Committee reviewed the report.

UPDATE FROM HISTORIC PRESERVATION COMMISSION:

Approval of a Proclamation Declaring May Historic Preservation Month

Mr. Asselmeier noted the theme was “all people are created equal”.

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

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Wormley, and DeBolt

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Board on May 5, 2026.

Approval of a Recommendation Regarding a Memorandum of Agreement Related to an Historic Structure Survey of Unincorporated Oswego Township

Mr. Asselmeier summarized the issue.

In October 2025, the County was approached by the consultant working for the data center project at 16929 Ridge Road asking if the County would like to participate in consultation for the project because the County is a Certified Local Government. The project would involve the demolition of several structures on the subject property.

The County originally requested One Hundred Sixteen Thousand Dollars (\$116,000) to conduct structure surveys of Big Grove, Lisbon, and Oswego Townships. The project consultant countered with the current proposal which is Sixty-Two Thousand Dollars (\$62,000) to conduct an historic structure survey of unincorporated Oswego Township, specifically the “rural” portions of Oswego Township, Boulder Hill, Shore Heights, and Gastville.

The County’s Historic Preservation Consultant, Wiss, Janney, Elstner Associates, Inc. (WJE), has been asked to prepare a contract and scope of work for the survey, pending approval of the subject proposed agreement. WJE is presently doing historic structure surveys of unincorporated Na-Au- Say and Seward Township and has completed the survey work for 16929 Ridge Road.

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

Member DeBolt asked how does the Historic Preservation Consultant determine which properties will be surveyed. Mr. Asselmeier stated that WJE will look at aerials from 1939 and look at the current aerials and compare the two (2). In the case of Boulder Hill, it was platted in the 1950’s. For a structure to be historic it would have to be built prior to 1976.

The votes were as follows:

Yeas (4): Koukol, Rodriguez, Wormley, and DeBolt
Nays (0): None
Abstain (0): None
Absent (1): Flowers

The motion carried. The proposal goes to the Kendall County Historic Preservation Commission on April 20, 2026, and to the Kendall County Board on April 21, 2026, on the consent agenda.

REVIEW PERMIT REPORT:

The Committee reviewed the report.

CORRESPONDENCE

None

COMMENTS FROM THE PRESS:

None

EXECUTIVE SESSION

Member DeBolt made a motion, seconded by Member Rodriguez, to enter into executive session for the purposes of reviewing minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The votes were as follows:

Yeas (4): DeBolt, Koukol, Rodriguez, and Wormley

Nays (0): None

Abstain (0): None

Absent (1): Flowers

The motion carried.

The Committee recessed at 7:12 p.m.

The Committee returned from executive session at 7:13 p.m.

NEW BUSINESS

Approval to Release Executive Session Minutes of April 13, 2026

Member DeBolt made a motion, seconded by Member Koukol, to release the minutes of the executive session of April 13, 2026. With a voice vote of four (4) ayes, the motion carried.

ADJOURNMENT:

Member DeBolt made a motion, seconded by Member Koukol, to adjourn. With a voice vote of four (4) ayes, the motion carried.

Chairman Wormley adjourned the meeting at 7:14 p.m.

Minutes prepared by Wanda A. Rolf, Office Assistant

Enc.

**KENDALL COUNTY
PLANNING, BUILDING, & ZONING COMMITTEE
APRIL 13, 2026**

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)
Israel Berns		

KENDALL COUNTY PLANNING, BUILDING & ZONING COMMITTEE
Kendall County Office Building
County Boardroom
504 S. Main Street, Yorkville, Illinois
6:30 p.m.
Executive Session Minutes of April 13, 2026

CALL TO ORDER

The executive session was called to order by Chairman Seth Wormley at 7:12 p.m.

ROLL CALL

Committee Members Present: Brian DeBolt, Dan Koukol, Ruben Rodriguez (Vice-Chairman), and Seth Wormley (Chairman)

Committee Members Absent: Elizabeth Flowers

Also Present: Matt Asselmeier (Director)

The purpose of this executive session was to review minutes of meetings lawfully closed under the Illinois Open Meetings Act (5 ILCS 120/2(c)(21)).

The Committee reviewed the minutes from the following meetings:

December 19, 2016

August 7, 2017

November 7, 2022

Member Koukol made a motion, seconded by Member Rodriguez, to keep the minutes of December 19, 2016, August 7, 2017, and November 7, 2022, executive sessions confidential for personnel reasons and litigation reasons. With a voice vote of four (4) ayes, the motion carried.

Without objection, the executive session adjourned at 7:13 p.m.

Minutes prepared by Matthew H. Asselmeier, AICP, CFM, Director