

December 6, 2019

719 South Batavia Avenue  
Geneva, Illinois 60134

**To:** Mark D. VanKerkhoff, Keith Berkhout and the Distinguished Members of the Kane County Development Committee:

**Re: Formal Written Objection to Dog Kennel Zoning Application #4535**

On November 27, 2019 I received notification from Keith Berkhout, Zoning Planner, Kane County Building & Zoning Division regarding a Zoning Board of Appeals hearing scheduled for December 10, 2019. The public hearing is regarding a request for a Special Use on the property to allow for the construction of a kennel with an outdoor play area.

**First:**

The Kane County Development Zoning Division approved the County Line Subdivision in Saint Charles Township on or about December 1960. Following the zoning approval change, 30+ homes were built providing a constant tax revenue flow for both the County and Saint Charles Township. Since the Development Department made the decision to allow residential development adjacent to an area zoned for farming, doesn't it logically follow that the Development Department has an obligation to protect those that have chosen to reside in said approved residential area from a zoning change that will impact their unencumbered enjoyment of their homes? Granting of a Special Use shows a blatant disrespect for the current homeowners and the long-range planning decisions made by the County Development Department.

**Second:**

I am raising a formal written objection to the granting of a Special Use Permit due the following concerns associated with said usage as a kennel. **I request a denial of the Special Use application** and, in the event of the alternative, raise the following issues that need resolution before the granting of this appeal:

**A. Noise.** My quick review of the submitted proposed site plan indicates to me that there has not been much thought given to the issue of noise reduction. It is evident that the location for the kennel building (where 40-60 dogs will be housed) appears to be almost 300 feet from the residence of owners Brian McLean and Rachel Lewis. Since the site plan does not show the proximity of the kennel to the County Line Subdivision there is no clear way for a resident to determine its actual distance without the aid of a paid licensed surveyor. So, it appears that the kennel is going to be situated closer to our homes than it is to the residence of the owners of the kennel. The Appendix B-Zoning Item D states, "said animals shall not be housed, kenneled or yarded closer than one hundred (100) feet from any residence **other than that of the owner or user of the property**". Compliance with the existing "Special Use" zoning allows them to locate the main kennel building closer to their personal residence than to that of their neighbors and they have chosen the opposite. For this reason (non-compliance with the existing ordinance as it pertains to location), the approval should be denied. Further, since no building specifications have been given

other than a 40' X 50' pole barn, one must assume that there are no provisions for “active” noise reduction features such as: sound deadening insulation or earthen berms with landscaping (bushes or trees)--to be located between the proposed kennel and the subdivision. Almost everyone that owns a dog or lives nearby a dog can tell you that one dog when disturbed can be quite loud. The barking carries more than the one hundred (100) feet mentioned in the ordinance and therefore, the ordinance should be amended.

**B. Health and Safety.** Conversations with neighbors and “a county official” indicate a concern for ground water / well contamination. What evidence can the County provide to us that our well water will not be contaminated from the concentration of urine and uncollected feces in the contained outdoor play area? Also, the location of the proposed septic field raises concerns as the culvert areas and property frontage along Bonnie Street and Kautz Road during periods of significant rainfall (and for a period of time thereafter) contain standing water. This runoff flows over to the collection area by the DuPage Airport where it eventually dissipates over time. Will the DuPage Airport Authority allow contaminated runoff onto its property?

**C. Real Estate Devaluation.** The impact on the value of the homes in the County Line Subdivision due to the addition of a working noisy kennel as a neighbor. Location, Location, Location.

**Finally:**

Again, **I am asking for a denial of Dog Kennel Zoning Application #4535.** Before taking a vote, you must ask yourself the following questions--“if you found a potential new home but discovered that a dog kennel was located nearby--would you still make that housing investment or would you move on to the next best financial option? Further, if approval is granted will there be restrictions placed addressing neighborhood concerns? Aren't there better locations for a kennel than next to a neighborhood—how about in an industrial area? It is your obligation to protect the homeowners that reside in the County Line Subdivision. Your decision will impact the (30+ families) both financially and quite possibly their health and safety. We have called this subdivision home for many years. Please cast your votes in the interest of the majority and not the one. Lastly, the Zoning Board needs to review and update Appendix B-Zoning Item D in relation to distance. Thank you for your time and consideration.

Sincerely,

*Kevin Besch*

33W045 Bonnie Street ● Saint Charles, Illinois 60174 ● (630-251-1480)

:mj

