

COUNTY OF KANE

**DEVELOPMENT & COMMUNITY
SERVICES DEPARTMENT**
Mark D. VanKerkhoff, AIA, Director
Building Officer
Zoning Enforcing Officer



County Government Center
719 Batavia Avenue
Geneva, Illinois 60134
Phone: (630) 232-3480
Fax: (630) 232-3411
Website: www.co.kane.il.us

October 18, 2019 via email and regular mail

Ed Romero and Bruce Oehlerking
Tianguis LLC
14N630 State Route 25
East Dundee IL, 60118

Re: Application for Temporary Seasonal Sales received October 16, 2019
PIN 03-35-226-004

Dear Mr. Romero and Mr. Oehlerking,

On October 11, 2019, Kane County became aware that a permit for Temporary Seasonal Sales was not applied for or approved for the outdoor market, also known as "Tianguis", currently operating on the above parcel. This is a violation of the Kane County Zoning Ordinance, Chapter 25, Article X. 2.1 Permitted Uses. Temporary Seasonal Sales are a permitted use in the B-3 and B-4 Districts, but require a Temporary Use Permit to be obtained from the Zoning Enforcing Officer.

Kane County received your application to hold the temporary seasonal sales on October 16, 2019. The application is hereby denied based on the following:

1. Documentation I received from the Sheriff on the number of incidents at the property (21 in the past 30 days);
2. Information from the Health Department relative to compliance with temporary food permits;
3. Information from the Health Department regarding the ongoing violation regarding trash and dumping;
4. Water Resources is waiting for documentation of all impervious surfaces on-site added since Jan 1, 2002 to demonstrate that the criteria for BMP's and Detention have been met. In addition, the applicant is still in the process of working through permitting for proposed improvements on the site. The owner has not currently demonstrated that the site is in compliance with the Stormwater Ordinance. This must be completed and approved before a new permit can be considered, and;
5. My site visit yesterday (10/17/2019) with a health inspector and the Fire Marshall from East Dundee Fire Protection District. Multiple violations were observed, including remodeling work in the main kitchen without permits.

I verbally informed Bruce Oehlerking, who represents the owner and the operations, at 1:30, PM, this afternoon. The violation must be remedied by ceasing all seasonal sales on the above parcel.

If you have any questions regarding this letter please give me a call at my office 630-232-3451.

Sincerely,



Mark D. VanKerkhoff, AIA

Zoning Enforcing Officer and Building Officer

Cc: Marzenia Vandeburgt, KC States Attorney Office
Barbara Garza, KC Liquor Commission
Christopher Collins, KC Sheriff's Office
Kane County Health Department
Kane County Board Office