

December 3, 2019

Mary Johnson

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/we 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:

I/we are raising a formal written objection to the granting of a Special Use Permit due to noise concerns associated with said usage as a kennel. I/we are circulating a petition within our neighborhood community in opposition to the request #4535 to present to the Development/Zoning Committee prior to their final vote. Outlined below are several issues that need to be considered before the granting of this appeal.

Second:

Due to the timing of this request, as one of the residents of the County Line Subdivision (to the north of the proposed location of the kennel) I/we are asking that the scheduled hearing be tabled until the post-Holiday season, sometime into mid-January or February 2020 when we can arrange to have some neighbors and/or counsel in attendance. Unfortunately, we are a working-class community and due to the scheduled times and dates of the meetings, I/we will be unable to attend any of the meetings in December 2019 but we plan to attend the scheduled meeting on the day of the vote in January 2020. Hopefully, public comment and the presentation of our petition will be allowed prior to the final vote.

A. The Appendix B-Zoning item D suggests “not be housed, kenneled or yarded closer than one hundred (100) feet from any residence other than that of the owner or user of property”. I/we propose the current distance is not acceptable and must be challenged and changed. There may be several residences that may be closer than 100 feet to the proposed yarded or kenneled area and more at a slightly longer distance that will be impacted as well. In our personal experience,

we used Google Maps and measured the distance from the front of my home to the front home of a neighbor (that houses one dog that is left at home daily), the distance is 133 feet. On occasion, this dog will bark loudly (indoors) for hours. It is extremely loud and depending on time of the day, bothersome. Imagine yourself living next to kennel with yarded dogs. We are also concerned with the associated smell that may emanate from the kennel during the spring, summer and fall months when the winds are out the S/SW blowing toward our neighborhood.

B. The impact on the ability of the County Line Subdivision residents (those whom have lived here for many years) to enjoy their right to continued usage of their property without the additional constant noise and odors generated by a kennel. The chickens, horses and loud music from the property to the south of the proposed kennel (at least 200 feet south of the southern property line of County Line Subdivision) already impacts outdoor usage in the summer months; with some days/evenings approaching intolerable noise levels—and this distance is even further from our neighborhood than the proposed kennel. Imagine the noise level effected by the chickens and horses during the daylight hours upon the yarded dogs that are unfamiliar farm animals.

C. What about the impact on the value of the homes in the County Line Subdivision due to the addition of a working noisy, odiferous kennel as a neighbor?

Finally:

I/we ask all voting members to see yourselves living in a home in any neighborhood--prior to your vote—is a kennel something you would want unconditionally as a neighbor? If the approval is to be granted, will there be any kind of restrictions i.e. proven noise deflection (berm) and smell suppression (?) required? I/we ask for an outright denial of the zoning appeal at a minimum and that the Zoning Board review and revise the Appendix B-Zoning issue of “distance of noise transmission into residential communities” that will satisfactorily determine, remedy and resolve for all parties the “noise issue” associated with kennels that are proposed to be located adjacent to established residential communities now and in the future. As of now, the existing “one hundred feet” rule clearly is inadequate—not for a single dog and surely not for a kennel.

Sincerely,

Mary K. Johnson

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