

Public comments for Meeting 12/17/19

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

RE: Additional Comments to Formal Written Objection to Kennel Special Use Request #4535

After a second review of the Findings of Fact submitted by the applicants, I have several additional comments and concerns that I hope the Development Committee will factor into their deliberations regarding the proposed use as a kennel adjacent to our neighborhood community. They are as follows:

- The applicant states, “the new building...is screened off from view of the proposed facility by natural vegetation. That may be correct, **however, said natural vegetation is on someone else’s property and therefore can be removed or altered at any time resulting in additional noise transmission into our neighborhood.** It should also be noted that the vegetation contains many old trees that are showing significant signs of distress (lightning strikes and disease) that will ultimately bring them down in the future. Also, this natural vegetation is not sufficient to deaden the noise of up to 60 barking dogs. **Earthen berms, additional noise suppressing vegetation, fencing (and engineered sound suppression should required for the structure) and should be required to be installed along the western, northern and eastern borders of the applicants’ property at the expense of the applicants.**
- The applicant states that the use will be compatible with the area and should have no detrimental effect on the surrounding properties. There has been no evidence of an attempt (in the applicants answer) to question a single real estate expert or an appraiser for their qualified opinion as to what would happen to the value of the homes in the County Line Subdivision if the kennel as proposed were to be constructed. Shouldn’t there be some kind of appraisal, BPO or historical record (I was told by a county official that this is not the first time this type of request has been made in Kane County) as evidence to support their conclusion? **Approximately 1/3 of the residents in this neighborhood are approaching the end of our “working lives”. For many of us, our home is our major investment and we are counting on its value to assist in our retirement. We have all suffered significant losses in our home values from the “Great Recession” and have yet to regain that lost equity. Now, we are about to be hit again, not because of a national issue or policy but because of an individual requesting a “Special Use” for his recently acquired property. Wouldn’t it be easier for the applicant (he probably has a contingency on his purchase for approval as a kennel) to find a property in a better suited location?**
- Without the aid of an engineer or site plan, it is hard to determine the distance to the residences of County Line Subdivision. Those actual distances are not

reflected in the documents made public. (Some residents may be closer to the kennel than the owners). 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.”** If the applicants truly believe in their plan as proposed, shouldn't the placement of the actual kennel be as close as possible to their residence (as allowed per the current zoning Appendix B-Zoning Item D noted above) so that any disturbance would be handled by them before the Kane County Sheriff is called to resolve a nuisance issue? **Wouldn't the continued vigilance proposed by the applicants be best served by the applicants and their residence in the closest proximity to the kennel?**

- Since there are no building specifications, we cannot assume (since the applicants are relying on neighboring property owners “natural vegetation” for their sound suppression) that their proposed pole barn is anything but an uninsulated structure to house, kennel or yard animals. The applicants should have to demonstrate to the County Development Department and the affected neighborhood that they are coming to the table with the “intent” to be good neighbors—which is not yet obvious in their proposal. There is no evidence in their proposal to suggest that the special use proposed will not be injurious to the use, enjoyment and value of the property in the immediate area.

We ask the Kane County Zoning Board to deny this application (#4535) Special Use for a kennel.

Further, we ask that the Special Use as it applies to kennels be reviewed and revised. Such revisions to include greater distances from residences (or to be located in non-residential areas), provide for greater sound suppression both passive (landscaping and berms) and active/engineered (for building structures) so as to prevent this issue from occurring again in Kane County.

We would like to thank you for your time and attention to this matter.

Kevin Besch

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