AGENDA
Land Use Committee
Thursday, June 13, 2019
5:00 P.M.
Peoria County Courthouse, Room 402

1. Call to Order

2. Approval of Minutes
   • April 23, 2019

3. Reports / Other Minutes / Updates
   • Tri County Regional Planning Commission Minutes (no new minutes posted)
   • Unsafe Structures
   • Development Summary

4. Zoning Cases
   • 006-19-U, Petition of Peoria Sand & Gravel, Inc.
   • 022-19-S, Petition of Peoria County

5. Subdivision Waivers
   • W02-19, Petition of Bradly & Margaret Rolando

6. Miscellaneous

7. Adjournment
MINUTES
LAND USE COMMITTEE
April 23, 2019
4:00 P.M.
ROOM 402

MEMBERS PRESENT: James Dillon – Chairman; Kate Pastucha, Matt Windish, Sharon Williams, Barry Robinson, Brian Elsasser (via teleconference)

MEMBERS ABSENT:

OTHERS PRESENT: Larry Evans, Alex Kurth - State's Attorney's Office; Scott Sorrel, Shauna Musselman - County Administration; Kathi Urban, Andrew Braun - Planning & Zoning; Doug Gaa – Peoria County Sheriff’s Office; Ed & Debra Lindsay – zoning case petitioners

Call to Order:
Mr. Dillon called the meeting to order at 4:04 p.m. Ms. Pastucha made a motion to allow Mr. Elsasser to attend via teleconference and was seconded by Mr. Robinson. The motion carried (5-0).

Approval of Minutes:
A motion to approve the Land Use Committee minutes from January 29, 2019 was made by Ms. Pastucha and seconded by Mr. Windish. A vote was taken on the motion and carried. (6-0) (Mr. Elsasser voted via teleconference.)

Reports/ Other Minutes/Updates:
Tri-County Regional Planning Commission Minutes: No questions or comments.
Unsafe Structures: No questions or comments.
Development Summary: No questions or comments.

Mr. Dillon made a motion to receive and file the reports.

Zoning Cases:
018-19-U, Petition of Edward Lindsay:
Ms. Williams made a motion to approve the special use request with restrictions and was seconded by Mr. Robinson.

Ms. Urban summarized the case. A Special Use request from Section 20-5.1.3.1.d of the Unified Development Ordinance. This Section allows for a special use for Mobile homes, when all towing apparatus, wheels, tongue and hitch are permanently removed and the structure is attached to a permanent foundation and assessed as real property. The petitioner proposes to occupy a mobile home in "A-1" Agricultural Preservation Zoning District. The parcel is located on N. Quarry Rd. in Elmwood Township. There are 0 consents and 0 objections on file. Adjacent land uses are agriculture in all directions and timber to the south. The proposed request is consistent with the low-density residential land use and character of the surrounding area. The parcel is served by an existing septic system and well, and the Peoria County Health Department
has no objection. The impact to traffic should be the same as a single-family home, which is a permitted use on the property. Access will be from a shared driveway with 2 existing neighbors and there was no comment from the Elmwood Township Road Commissioner. The proposal is consistent with the Peoria County Rural Areas Growth Strategy of preserving the character of the “A-1” district by permitting low density residential living and the Peoria County Growth Strategy to provide a variety of choices in housing types. Staff recommended approval with two restrictions and the Zoning Board of Appeals concurred unanimously with these same restrictions.

Ms. Pastucha asked about the well on the site, and Ms. Urban responded that the Health Department had recommended that the petitioner have it evaluated, but it was not required.

A vote was taken on the motion and carried. (6-0) (Mr. Elsasser voted via teleconference.)

Miscellaneous:
No further questions or comments were made.

Executive Session:
Executive Session for Pending Litigation:
Mr. Elsasser ended his teleconference. A motion to go into executive session was made by Ms. Williams and seconded by Mr. Robinson. A vote was taken and the motion carried (5-0). Executive session began at 4:09 p.m. Open session resumed at 4:31 p.m.

A motion was made by Ms. Pastucha to accept the plaintiff’s settlement offer and was seconded by Mr. Robinson. A vote was taken and the motion was denied unanimously; (0-5) (Mr. Elsasser absent for vote.)

Adjournment: Mr. Dillon adjourned the meeting at 4:33 p.m.

Recorded by: Ellen Hanks, ZBA Administrative Assistant
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: June 13, 2019

LINE ITEM: Revenue:
           Expenditure:

ISSUE: Unsafe Structures Monthly Update

BACKGROUND/DISCUSSION:
Peoria County is enforcing the Unsafe Structures Program. The following properties possess one or more structures that present a danger to public safety and are in the process to achieve compliance through the owner repairing or demolishing the structure or being recommended for demolition by Planning and Zoning.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Keith Miller
DEPARTMENT: Planning & Zoning
DATE: 5/15/2019

ATTACHMENTS:

<table>
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<tr>
<th>Description</th>
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<tbody>
<tr>
<td>Unsafe Structures</td>
<td>Cover Memo</td>
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HAMM, Richard - 14538 N River Beach Drive, Chillicothe - Rome Twp - Section 07 - (10-07-255-022) - Complaint #14-125. This structure was determined to be substantially damaged in the flood. As of October 13, 2016 the owner has not elevated, moved or removed this structure. This case was sent to the SAO for further enforcement. A 15-day notice was posted on February 23, 2015.

PANDHARE, Sudhaunshu - 2708 W Third St - Peoria - Medina Twp - Sec 31 - (09-31-137-004) - Complaint #13-053 - Garage is unsafe. This case was sent to the SAO for further enforcement. Our department sent a 15-day notice on February 24, 2015. This property was inspected on July 10, 2018 and the condition continues to deteriorate.

MOONEY, Michael - 16336 N Portage St - Chillicothe Twp - Sec. 32 - (05-32-380-003) - Complaint #2017-129 (Old complaint #2013-318) - Unsafe decks - On August 6, 2015 this file was sent to the SAO for further enforcement. This property was inspected on October 5, 2017 and the condition continues to deteriorate. The Hearing Officer has issued her final judgement.

BELLINGER, Andrew - 525 S Kickapoo Creek Rd - Limestone Twp - Section 12 - (17-12-352-006) - Complaint #2016-206 - The house has been burned substantially and is unsafe. A 15-day notice was posted on February 4, 2019. On June 5, 2017 demolition permit 58672 was issued. The property was inspected on February 4, 2019 and the building has been partially demolished but the permit has expired and the litter, debris, foundation, and block wall have not been removed yet. This case has been sent to the SAO for a demolition order.

MOONEY, Michael - N White Grove Rd - Princeville Twp - Sec. 06 - (02-06-400-012) - Complaint #2017-125 - Garage roof is collapsing. The Hearing Officer has issued her final judgement. This case has been sent to the SAO for a demolition order.

COOPER, Deqarius – 3204 N Augustana Ave – Limestone Twp – Sec. 13 – (17-13-479-009) – Complaint #2017-159 – The house a collapsing roof and holes in the foundation. A 15-day notice was posted on December 5, 2017. The Hearing Officer has issued her final order. This case has been sent to the SAO for a demolition order.

ELLIS, Raymond - 1421 E Hendryx Ln - Medina Twp - Section 34 - (09-34-403-025) - Complaint #2018-016 - The detached garage roof has large holes and is unsafe. The Hearing Officer has issued her final order.

GSCHWIND, Bernice – 1616 E Hendryx Ln – Medina Twp – Section 34 – (09-34-404-020) – Complaint #2018-017 – The house roof is sagging, has holes, and rotted wood. The Hearing Officer has issued her final order.

PUNO, Jose – 20510 N Route 40 – Hallock Twp – Sec. 18 – (04-18-200-002) – Complaint #2018-042 – Detached garage roof has holes and is collapsing. The Hearing Officer has made her final ruling.
CASES IN THE HEARING OFFICER PROCESS

CLAYTON, Sandra - 9912 W Layne St - Kickapoo Twp - Section 13 - (13-19-326-004) - Complaint #2017-123 - Two accessory buildings have collapsing roofs and other property maintenance violations. Permits were issued for repairing each building but will remain on the list until the unsafe structures have been repaired.

JANSZEN, Eddie – 7014 W Lancaster Rd – Limestone Twp – Section 33 – (17-33-252-003) – Complaint #2018-004 – The house porch has a failing foundation and steps, a detached garage is collapsing, a shed has collapsed and there is a large open pit that is not enclosed or covered. This case has been continued to the June 12, 2019 Hearing Officer meeting.

HAUSAM, Nancy - 1004 N Oakleaf Rd - Limestone Twp - Sec. 02 - (17-02-406-007) - Complaint #2018-166 (Closed) - Detached garage roof is collapsing. This case has been closed due to a permit being issued but will remain on the list until the unsafe structure has been repaired.

ADKINS, James – 4827 W Farmington Rd – Limestone Twp - Sec. 02 - (17-02-405-001) - Complaint #2018-027 - Commercial building has a collapsing porch roof, failing foundation, and collapsing stairs. This case has been closed due to a permit being issued but will remain on the list until the unsafe portions of the building are repaired.

STEVENSON, Linda – 937 N Range Ln – Limestone Twp – Sec. 03 – (17-03-426-005) – Complaint #2018-061 – House interior was badly damaged by fire. A demolition permit was issued and the Hearing Officer closed the case. This property will remain on the list until the unsafe structure is removed.

GARNAND, James – 818 N Limestone Ln – Limestone Twp - Sec 02 – (17-02-377-009) – Complaint #2018-258 - Major structural fire damage to house. This case has been scheduled for the July 3, 2019 Hearing Officer meeting.

DAVIS, Gerald – 14112 W Route 150 – Jubilee Twp - Sec 33 – (07-33-200-011) – Complaint # 2019-053 – The house roof is collapsing. This case will be scheduled for a Hearing Officer meeting if still in violation after the compliance date.

DAVIS, Gerald – 13724 W Route 150 - – Jubilee Twp - Sec 34 – (07-34-100-003) – Complaint # 2019-054 – House has a collapsing roof and accessory structures have collapsing roofs and walls. This case will be scheduled for a Hearing Officer meeting if still in violation after the compliance date.

BEAL, Jeffrey & LOCKWOOD, Tiffany (Previous owners CR 2018 LLC, Robert Williams) - 3708 W Lincoln Ave - Limestone Twp - Sec. 12 - (17-12-383-001) - Complaint # 2019-100 (prior #2014-195) – The house roof is sagging significantly, the foundation is failing, and the deck is unsafe. A 15-day notice was posted on February 23, 2015. An updated 15-day notice was posted and mailed on March 6, 2019. This case has been sent to the SAO for a demolition order but has changed ownership and will start over in the Hearing Officer process.
PROPERTIES IN COMPLIANCE FOR THE PAST FIVE YEARS

Compliance Year - 2014

MILLER, Geraldine - 10504 Moss, Mossville, Il - Section 27 - Medina Twp - (09-27-452-005) (Complaint # 12-07) -
The building was removed but part of the demolition process includes cleanup. There are still litter/debris issues on
the property. Mindy said to pursue this through the complaints process as litter. House removed by owner 12/31/2013

ROARK, Allen - 5421 N Valley Road - Peoria - Section 24 - Kickapoo Twp (13-24-201-001) (Complaint #11-285) on
7-26-2013 SAO received a court order for demolition of this property. A demolition permit was issued to CDO
Trucking on March 27, 2014 and a final inspection verifying compliance was conducted on 4-3-2014. This file is
closed.

WETTERAUER, Carroll - 7207 W Farmington Road - Peoria - Limestone Twp. - Section 04 - (17-04-401-001) -
Complaint #14-65 - Trailer Fire - unsafe structure. The structure was removed by the owner.

PAPENDICK, Bonnie - 14732 N Grandview Dr, Chillicothe, Il - Sec. 07 - Chillicothe Twp (10-07-176-008)
Complaint #11- 277 - SAO obtained a demolition order on this property on December 3, 2013.Schlafer & Sons has
removed the structure and this was verified by our inspector on 7-11-2014.

MOREFIELD, Justine - 13705 W Southport Road, Brimfield - Sec. 15 - Rosefield Twp (12-15-301-009) - Complaint
#12-148. Burned out house. The owner removed the structure and this was verified by our inspector on 8-29-2014.

ZILLION, Joseph - 818 N Limestone Lane - Peoria - Limestone Twp - Section 02 - (17-02-377-009) -
Complaint #14-124 - Unsafe shed. Unsafe shed was removed by the owner and this was verified by our inspector on
September 29, 2014.

HANNAH, Robert - 3125 E Rene Ave - Chillicothe - Medina Twp - Sec 13 - (09-13-301-016) - Complaint #12-214 -
Abandoned house - Unsafe structure. Unsafe electric was repaired by owner. Complaint was closed November 5, 2014.

US BANK NATIONAL (TR) - (was KECKLER, Michael) - 6212 W Conley - Peoria - Limestone Twp - Section 03- (17-03-126-004) - Complaint #14-149 transferred to new complaint #14-300 - Deck was determine to be sound.

Compliance Year - 2015

NITCHTING, Pat - 9504 Broadway St - Peoria - Medina Twp - Sec 34 - (09-34-405-047) - complaint #2014-607 -
House fire. Demo permit was issued October 29, 2014. Unsafe structure was demolished by the owner.

DAVIS, Paul - 22819 N Berchtold Rd. - Chillicothe - Hallock Twp - Section 02 - (04-02-300-005) - Complaint
#14-148 - As of inspection done on December 30, 2014 unsafe structure was resolved by owner.

SECRETARY OF HUD, - 1110 N Coronado Dr. - Peoria - Limestone Twp - Sec. 02 - (17-02-404-010) - Complaint
#14-168 - Unsafe shed was removed by new owner.

THOMAS, Patrick - 15510 N Riverbeach, Chillicothe - Rome Twp - Section 05 - (10-05-302-020) - Complaint
#13-371 - This property was re-inspected and determined that it is no longer unsafe.

CAMPBELL, Russell - 208 N Murphy Road - Hanna City - Section 11 - Logan Twp (16-11-251-001) - Complaint
#12-86 - This property was re-inspected and determined that it is no longer unsafe. Repairs were made by owner.

SORENSON, John - 10415 W. Sir Galahad Ct - Logan Twp. - Sec. 36 - (16-36-229-021) - Complaint #2015-054 -
House fire - Major damage. The house has been demolished by the owner.

NEWMAN, Joseph - 5908 W Lonsdale Rd - Limestone Twp - Sec. 03 - (17-03-202-002) - Complaint #2012-239 -
Shed is unsafe. The unsafe shed was demolished by the owner.
GILLES, Brian - (formerly owned by Deutsche Bank National) - 1712 N Boyd Ave. - Limestone Twp. - Section 04 - (17-04-227-010) - Complaint #2015-101 and Complaint #2015-060 - Unsafe shed - This property was inspected on June 9, 2015 and the owner has demolished the shed and the outhouse.

LEWIS, Michael - 2903 N Eden Rd - Rosefield Twp - Sec. 32 - (12-32-200-002) - Complaint #2014-320 - Unsafe fire damaged house. The unsafe house was demolished by the owner and a permit has been issued for building a new house.

NASH, Dennis & Peter - 15616 N River Beach Dr - Rome Twp - Sec. 05 - (10-05-302-001) - Complaint #2015-209 - Unsafe vacant commercial building damaged by flood and deterioration. The structure has been demolished by the owner.

SHAEFER, Gary - 2606 E Santa Fe Rd - Hallock Twp - Sec. 23 - (04-23-200-020) - Complaint #2015-086 - A new building has been built on the foundation and is no longer unsafe.

 compliance year - 2016

WEBER, David & Joseph - 1805 S East Lane - Limestone Twp - Section 13 - (17-13-478-017) - Complaint #14-146 - Unsafe house. Demolition was completed on January 11, 2016 by Peoria County.

CLAYTON, William - 14020 W Rockhill Road - Brimfield - Rosefield Twp - Section 16 - (12-16-200-018) - Complaint #15-562 - The structures were demolished by the owner.

KIDD, Helen - 14609 N Edgewater Drive - Chillicothe - Rome Twp - Sec. 07 - (10-07-177-019) - Complaint #12-192 - Unsafe garage and house. Demolition was completed on January 25, 2016 by Peoria County.

LEVI, Brian - 2049 N Norwood Blvd - Kickapoo Twp. - Sec. 34 - (13-34-353-032) - Complaint #2015-035 - Unsafe house and shed. The structure has been repaired to a point of being safe.

NALLEY, Kathleen - 15534 N River Beach Dr - Rome Twp - Sec. 05 - (10-05-302-013) - Complaint #2015-278 - Unsafe house due to major flood damage. The house was demolished by the owner.

COOMBES, Carlos - 2209 E Santa Fe Rd - Hallock Twp - Sec. 14 - (04-14-300-006) - Complaint #2015-093 - House and garage were unsafe. All structures were demolished by the owner.

MARTZLUF ESTATE, Earl - 625 E Hallock Hollow Rd - Hallock Twp - Section 28 - (04-28-400-009) - Complaint #2015-401 - Eight deteriorated and unsafe structures consisting of five sheds, an outhouse, a garage, and a house were identified in a December 11, 2015 inspection. Demolition permit was issued and the owner has removed the structures.

MONARI, Donald - 22803 N Berchtold Road - Hallock Twp - Sec. 02 - (04-02-300-006) - Complaint #14-089 - Unsafe house (fire damage). Demolition has been completed by the owner.

BAKER, Tom - (Previously owned by Glen Parshall and JP Morgan Chase Bank) - 15426 N River Beach Dr - Rome Twp - Section 05 - (10-05-302-051) - Complaint #2016-027 - The owner has demolished the house.

CAPRANICA, Alicia - 1614 N Boyd Ave - Limestone Twp - Sec. 04 - (17-04-227-014) - Complaint #2015-196 - Repairs have been made to the garage by the owner.

STEVENS, Lisa - 21514 N Main St - Millbrook Twp - Sec. 07 - (01-07-334-003) - Complaint #2015-415 - House and accessory buildings were unsafe. House and accessory buildings were demolished by the owner.

CLIFTON, Steven - 6652 W Wheeler Road - Mapleton - Hollis Twp - Section 22 - (20-22-152-006) - Complaint #13-464 - Unsafe house (fire damage). Demolition was completed by Peoria County on June 21, 2016.
**Compliance Year - 2017**

**HUGHES, Kenneth** - 21139 N Main St - Millbrook Twp - Sec. 07 - (01-07-381-001) - Complaint #2015-236 - House and accessory building were unsafe. The house and accessory building were demolished by the owner.

**HEINZ, James** - 7724 S Stranz Rd - Hollis Twp - Sec. 08 - (20-08-300-022) - Complaint #2014-202 - Unsafe house. The owners have made repairs and the house is no longer unsafe.

**HOLLOWAY, Brant** (formerly owned by Christopher Luczaj) - 1723 N Oesterle Ave - Limestone Twp - Sec. 04 - (17-04-276-015) - Complaint #2016-207 - House was unsafe due to roof damage, foundation failure, electrical hazards, and possibly fire damage. The new owner has demolished the house.

**FERCH, Kenneth** - 610 S Taylor Road - Hanna City - Limestone Twp - Section 07 - (17-07-400-002) - Complaint #14-154 - Unsafe house and other structure. The owner has received approval of converting both the garage and the remaining parts of the house into agricultural use buildings.

**VIGUE, Arthur** - 17225 W State Road - Brimfield - Rosefield Twp - Sec. 06 - (12-06-362-001) - Complaint #14-213 - Unsafe house and shed. Owner has removed the structure and filled in the hole.

**BAYS, Michael** - 24219 W Jackson St - Millbrook Twp - Section 07 - (01-07-182-002) - Complaint #2015-416 - House is unsafe. The owner has completed the demolition of the house.

**RICHARDSON, Charles** - 1703 W Route 24 - Timber Twp - Sec. 06 - (22-06-100-008) - Complaint #2015-057 - House was significantly damaged by fire. The owner has completed the demolition of the house.

**ADAMS, Bruce** - 1103 Coots St - Hallock Twp - Sec. 19 - (04-19-100-011) - Complaint #2015-100 (closed) - Vacant house had large holes in roof and walls. The owner has made the repairs and the house is no longer unsafe.

**HOUGLAND, Ryan & JA** - 1506 S Sarah Drive - Limestone Twp - Sec. 13 - (17-13-406-001) - Complaint #13-496 - The demolition of the house, deck and garage was completed by Peoria County.

**KLEIN, David** - 10802 S Glasford Rd - Timber Twp - Section 27 - (19-27-151-005) - Complaint #2016-364 - The house was substantially burned. The demolition was completed by the owner.

**ECHTERLING, Eugene** - 13334 River Beach Drive - Chillicothe - Medina Twp - Section 13 - (09-13-251-001) - Complaint #2015-079 - House damage originated from a house fire (never repaired) and then was damaged in flood waters. Project is on the "buy-out" list but the structure is not secured. The structurally unsafe portions of the house have been repaired.

**CAGLE, Lindon** - 1622 N Moody Ct - Limestone Twp - Section 03 - (17-03-101-044) - Complaint #2017-034 - The house was badly burned and unsafe. The demolition has been completed by the owner.

**BURKE-LLOYD, ARLENE** - 8921 W Farmington Road, Hanna City, IL - Limestone Twp - Sec. 08 - (17-08-101-010) - Complaint #11-145 - Restaurant. Demolition permit 58573 has been completed by Peoria County.

**SIEGEL, Francis** - 10015 W Edwards St - Kickapoo Twp - Section 19 - (13-19-304-001) - Complaint #2016-085 - The house has been removed by the owner.

**HANSEN, Sherry** - 3214 W Malone St - Section 13 - (17-13-280-001) - Complaint #2017-057 - The house was badly burned and unsafe. Demolition permit 58594 has been completed by the owner.

**PEORIA COUNTY** - (Formerly ZALCMAN, Maurice) - 15016 N River Beach Dr - Rome Twp - Sec. 07 - (10-07-227-007) - Complaint #2013-379 - Substantial damage from 2013 and 2015 floods. House and garage are unsafe. The buy-out offer was accepted and the property was transferred to Peoria County on August 8, 2017.
SZENTES, Austin - 7009 W Lancaster Rd - Limestone Twp - Sec. 33 - (17-33-251-013) - Complaint #2015-168 - House was unsafe due to major foundation failure. On August 9, 2017, the owner has removed the attached garage which was the unsafe portion of the house.

SOMOGYI, Justin - 1718 S Happ Ave - Limestone Twp - Section 13 - (17-13-378-003) - Complaint #2017-073 - The house was badly burned and was unsafe. The house has been demolished by the owner.

EKVALL, Timothy - 7901 W Bridlebrook Dr - Hollis Twp - Section 08 - (20-08-227-004) - Complaint #2017-078 - The house was badly burned and was unsafe. The house has been demolished by the owner.

ROEDELL, Brock - 10214 W Powdermill Rd - Kickapoo Twp - Sec. 19 - (13-19-306-003) - Complaint #2016-237 - Unsafe house due to the foundation collapsing into the basement from flood damage. Peoria County has closed on this property and it will be scheduled for demolition.

SHUMAKER PROPERTIES LLC - 11705 N Old Galena Rd - Medina Twp - Sec. 09 - (09-23-351-012) – Complaint #2017-132 - Approximately 2/3 of the Midwest Fiber commercial building was fire damaged. A demolition permit was issued and the unsafe portion of the building has been removed by the owner.

MOREFIELD, Christopher - (formerly Hill) - 13625 W Southport Road, Brimfield - Rosefield Twp - Section 15 - (12-15-301-006) - Complaint #2017-112 - This property had a house and a shed that were deteriorated and collapsing. The owner has completed the demolition of the house and repaired the shed.

KOFOID, Ronald - 6233 W Conley Rd - Kickapoo Twp - Sec. 34 - (13-34-380-041) - Complaint #2015-070 was closed - Porch and garage roofs were collapsing. The unsafe collapsing sections were repaired and no longer unsafe.

BAZHENOW, Steven - 4912 W Farmington Rd - Limestone Twp - Sec. 02 - (17-02-377-025) - Complaint #2016-054 - Unsafe shed. This property has been annexed into Bellevue.

**Compliance Year – 2018**

VAUGHN, Deanna – 1816 S Oakwood Ave – Limestone Twp – Sec. 13 – (17-13-478-006) – Complaint #2017-070 – The house roof was collapsing. Demolition was completed by the owner.

SMITH, Carla – 5203 W Monroe Rd – Limestone Twp – Section 23 – (17-23-152-030) – Complaint #2017-116 – The garage roof was collapsing. The demolition has been completed by the owner.

CLAYTON, Sandra – 10129 W Powder Mill Rd - Edwards - Kickapoo Twp - Section 19 - (13-19-302-001) - Complaint #13-096 - Front porch is unsafe. This property has been transferred to Peoria County for demolition.

JOHNSON, Barbara – 1617 S Crest Dr – Limestone Twp – Section 13 – (17-13-377-012) – Complaint #2017-175 – The house roof was deteriorated and collapsing. The roof has been repaired.

COX, Chanell – 3112 W Latrobe St – Limestone Twp – Sec 13 – (17-13-429-009) – Complaint #2018-031 – Garage roof was collapsing. Demolition has been completed by the owner.

HAMM'S HARBOR INC. - 17620 N River Ln - Chillicothe Twp - Sec. 29 - (05-29-478-001) - Complaint #2015-297 - House is unsafe due to installing a foundation without building and flood permits and not to code. Rear roof support is inadequate and there is no safe egress out of the house. The property has been transferred to Peoria County.

MULLENS, Clarence - 15623 W McDonald Rd - Logan Twp - Section 20 - (16-20-400-002) - Complaint #2017-062 – The unsafe house and shed have been removed. The structures have been demolished by an individual not associated with Peoria County.

COOMBES, Carlos – 1423 E Resthaven Rd - Medina Twp - Sec. 34 - (09-34-405-025) - Complaint #2018-058 - The owner has demolished the unsafe shed.
MILLER, Alvie – 3005 W Main St – Hallock Twp – Section 18 – (04-18-151-005) – Complaint #2017-155 - The shed and detached garage have been demolished by a company hired by the bank.

SHYNK, Mary – 8005 N Blackbridge Rd – Kickapoo Twp - Sec 04 – (13-04-351-012) - Complaint #2018-240 – The unsafe and fire damaged parts of the house have been removed by the owner.
AGENDA BRIEFING

COMMITTEE: Land Use Committee
MEETING DATE: June 13, 2019

LINE ITEM: Revenue:
Expenditure:

ISSUE: April 2019 Development Summary

BACKGROUND/DISCUSSION:

COUNTY BOARD GOALS:

EFFECTIVE SERVICE DELIVERY

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Senior Planner
DEPARTMENT: Planning & Zoning
DATE: 5/1/2019

ATTACHMENTS:

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<tr>
<td>April 2019 Development Summary</td>
<td>Backup Material</td>
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## Land Use Committee Development Summary

### Permits Issued

**Period Start Date:** 4/1/2019  
**Period End Date:** 4/30/2019

### Non-Residential Construction

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<th>BLDG PERMIT #</th>
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<td>59576</td>
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**Total Value Non-Residential Construction This Period:** $4,222,000.00

### Residential New Construction

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**Total Value Residential New Construction This Period:** $4,222,000.00

### All Other Permits

**Total Number of All Other Permits This Period:** 24

**Total Value All Other Permits This Period:** $686,090.00
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AGENDA BRIEFING

COMMITTEE: Land Use  LINE ITEM: N/A
MEETING DATE: June 13, 2019  AMOUNT: N/A

ISSUE: Zoning Case #006-19-U. A Special Use request from 20-5.2.2.4.e of the Unified Development Ordinance. This section allows for a Special Use for Mineral Extraction Facilities in the “A-2” Agriculture Zoning District, as provided for in Section 7.12 (“Mineral Extraction Facilities”). The petitioner proposes to operate a mineral extraction facility at this location.

BACKGROUND/DISCUSSION: This case is located in District #7, which is County Board member James Dillon’s district. The petitioner, Peoria Sand & Gravel, Inc., requests a Special Use to operate a mineral extraction facility in the “A-2” Agricultural district. The parcel is located at 4283 W. Richwoods Blvd. in the southeast quarter of Section 26 in Kickapoo Township. There are 0 consents and 0 objections on file. Nonconforming use permit NCU #364 was granted December 6, 1973 for use of a sand and gravel pit and dump for building debris. According to documentation included as part of the NCU, the first use of property as a mineral extraction facility was in February of 1968. Special use case #034-97-U was granted by the Peoria County Board on February 10, 1998 for a sand and gravel mining operation in the “A-2” zoning district. The case was approved with nine restrictions. A list of restrictions is attached. Restriction number 4 indicates the special use shall be valid 15 years from the date of passage by the County Board. The special use expired on February 10, 2013. The subject parcel is 21 acres with an existing mineral extraction facility. According to the petitioner’s site plan, the mineral extraction facility on the subject parcel consists of a central stockpile, equipment storage in the southeast, and a mining site in the north. A gated entrance to the site is located on the southern boundary of the property, from Richwoods Boulevard. The western portion of the parcel, along route 8, is in the floodplain. The petitioner has indicated that no mining activity takes place in this area. The subject parcel and all surrounding parcels are zoned “A-2” Agricultural. The property to the north contains woodland and a residence. Properties to the north are buffered by a significant number of trees located on the northern portion of the subject parcel. To the east is a vacant parcel. Parcels to the south and west consist of cropland and woodland. An industrially zoned district lies approximately 1,103 feet to the southeast. Several parcels containing timberland and a cemetery lie within the industrial zoned district. The remaining nearby industrial land is owned by the Peoria Disposal Company and is used as a private landfill. The proposed use is consistent with nearby industrially zoned district and use. In accordance with the Peoria County Unified Development Ordinance (UDO) the petitioner submitted a reclamation plan. Mineral extraction operations must be at least 1,000 linear feet from any existing dwelling and 300 feet from any other building. The nearest principal dwelling lies approximately 226 feet to the north of the property line of the subject parcel. The petitioner’s site plan indicates the mining operations will be over 1,000 feet from this dwelling. All excavations and stockpiles shall meet setbacks for structures in the “A-2” zoning district. The UDO requires trucks entering and leaving the site to meet the weight requirements of affected roads and that hauling permits shall be required from the appropriate jurisdictions for affected roads. The facility can only operate between the hours of 7:00 a.m. and 8:00 p.m. According to the petitioner, the facility will only be open between 7:00 a.m. and 4:30 p.m. Extraction of material requires registration with the Illinois Department of Natural Resources Office of Mines and Minerals. According to the petitioner, the site is already registered. At the time of the review, no conditions were found that would cause the Health Department to recommend denial. According to the 2017 IDOT traffic map, there are an average of 10 vehicle trips along this portion of Richwoods Boulevard and 2,400 vehicle trips along this portion of Southport Road in a 24-hour period. The petitioner expects an average of 2 trucks per work day entering and exiting the site. According to the petitioner, the weight of a typical loaded truck entering or leaving the site is between 46,000 and 50,000 pounds. This truck would be hauling sand, aggregate, clay dirt, or topsoil. The Kickapoo Township Road Commissioner has indicated that the weight limit on W. Richwoods Boulevard is 12 tons (24,000 pounds). The road commissioner has also indicated that from February 15 through May 15 a bond would be required to haul loads over the weight limit. A contract would need to be signed by the petitioner indicating they would repair the roads back to satisfactory condition, as determined by the road district. At the time of this report, no comments were received from IDOT. The Peoria County Future Land Use Form Map designates this area as Agriculture and Environmental Corridor. Mineral extraction is an allowable use in the Agriculture Land Use Form. Portions of the property are located in the Environmental Corridor Land Use Form due to floodplain and woodland. The request is consistent with the Peoria County Comprehensive Land Use Plan Environmental Stewardship Principle that mining of natural resources does not conflict with other nearby uses. The Peoria County Growth Strategies support the proposed use.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES
1. In accordance with Section 20-7.12.2.4 of the Peoria County Unified Development Ordinance, a reclamation bond in an amount specified to cover the estimate prepared by an Illinois licensed professional engineer of the probable expenditures necessary to complete the items specified in the plan shall be approved by the Peoria County Planning and Zoning Department and filed with the Peoria County Clerk. The reclamation bond shall be submitted and approved by the Peoria County Planning and Zoning Department within 30 days of approval by the Peoria County Board. The reclamation bond shall remain valid for the life of the use. An updated estimated cost prepared by an Illinois licensed professional engineer must be submitted to the Zoning Administrator every 4 years. If the cost is increased, the petitioner shall provide a bond in such higher amount.

2. If at any time the reclamation process or mining activity on the property ceases for more than 12 consecutive months, the Special Use Permit shall be null and void. Reclamation of the site shall be completed within 3 years of the use ceasing, as indicated in the petitioner’s reclamation plan.

3. If required, appropriate permits shall be obtained from the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources Office of Mines and Minerals, and any other appropriate agencies.

4. In accordance with Section 20-7.14 of the Peoria County Unified Development Ordinance, materials shall not be stockpiled below the applicable base flood elevation.

5. In accordance with Section 20-7.12.4 of the Peoria County Unified Development Ordinance, no mineral extraction operation shall be carried out within 1,000 linear feet of any existing dwelling or within 300 feet of any existing structure (other than a dwelling), other than those owned by the applicant for the permit, unless written permission is first obtained from the owner of such dwelling unit or structure. A perimeter setback of 100 feet shall be maintained free of equipment, stockpiles, and overburden.

6. In accordance with Section 20-7.12.5 of the Peoria County Unified Development Ordinance, all excavations and stockpiles shall meet the setback requirements for the “A-2” Agricultural zoning district.

7. The applicant must meet all requirements set forth by the Kickapoo Township Road Commissioner. In accordance with Section 20-7.12.6.2 of the Peoria County Unified Development Ordinance, the applicant shall obtain any required permits from any other appropriate road jurisdictions.

8. In accordance with Section 20-7.12.8 of the Peoria County Unified Development Ordinance, the facility shall only operate between the hours of 7:00 a.m. to 8:00 p.m.

ZBA RECOMMENDATION: Approval with restrictions (6-0)

COMMITTEE ACTION:

PREPARED BY: Corbin Bogle, Planner I
DEPARTMENT: Planning & Zoning
DATE: May 17, 2019
REPORT TO THE ZONING BOARD OF APPEALS FOR THE MAY 9, 2019 PUBLIC HEARING

DATE: April 30, 2018

CASE/PETITIONER: 006-19-U / Peoria Sand & Gravel, Inc. / 190 E. Washington St., Morton, IL 61550

REQUEST: A Special Use request from 20-5.2.2.4.e of the Unified Development Ordinance. This section allows for a Special Use for Mineral Extraction Facilities in the “A-2” Agriculture Zoning District, as provided for in Section 7.12 (“Mineral Extraction Facilities”). The petitioner proposes to operate a mineral extraction facility at this location.

LOCATION: A part of the SE 1/4 of Section 26, Kickapoo Township / 4283 W. Richwoods Blvd., Peoria, IL 61604 / Parcel ID 13-26-400-005

LAND USE FORM: Agriculture, Environmental Corridor
EXISTING ZONING: “A-2” Agriculture
PRESENT USE: Mineral Extraction Facility
SIZE OF SITE: 21 acres

SURROUNDING ZONING: North, South, East, West: “A-2” Agricultural

SURROUNDING LAND USES:
North: Residential / Timber
East: Vacant
South, West: Agricultural

PUBLIC SERVICES:
Fire: Limestone FPD
School: Pleasant Valley GSD #62, Limestone HSD #310
Sewer: None
Water: None

TRANSPORTATION:
Southport Rd., state highway
Richwoods Blvd., township road

PERTINENT ZONING CASE(S)
ON SITE: NCU #364, #034-97-U

PERTINENT ZONING CASE(S)
IN SURROUNDING AREA: None

PLANNING AND ZONING DEPARTMENT RECOMMENDATION: APPROVAL WITH RESTRICTIONS
CASE ANALYSIS

REQUEST AND LOCATION:
The petitioner, Peoria Sand & Gravel, Inc., requests a special use to operate a mineral extraction facility in the “A-2” Agricultural district. The site currently serves as a location for sand removal, as well as a stockpile location for other sites. A special use is needed because request for a mineral extraction facility at this site has expired due to a restriction. The parcel is located at 4283 W. Richwoods Blvd. in the SE 1/4 of Section 26, Kickapoo Township.

PERTINENT ZONING CASE(S) ON SITE:
Nonconforming use permit NCU #364 was granted December 6, 1973 for use of a sand and gravel pit and dump for building debris. According to documentation included as part of the NCU, the first use of the property as a mineral extraction facility was in February of 1968.

Special use case #034-97-U was granted by the Peoria County Board on February 10, 1998 for a sand and gravel mining operation in the “A-2” zoning district. The case was approved with nine restrictions. Restriction number four indicates that the special use shall be valid 15 years from the date of passage by the County Board. The special use expired on February 10, 2013. The current request would bring the use into conformance with the Peoria County Unified Development Ordinance (UDO). A full list of restrictions from special use case #034-97-U can be found in the table below.

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<th>Restriction</th>
<th>Comments</th>
</tr>
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<tbody>
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<td>1</td>
<td>The special use shall adhere to all requirements set forth in Section 7-13 of the Peoria County Zoning Ordinance regulating mineral extraction facilities.</td>
<td>Mineral Extraction Facilities are now regulated through Section 20-7.12 of the UDO.</td>
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<td>A reclamation bond in an amount specified to cover the estimate prepared by a State of Illinois Registered Professional Engineer of the probable expenditures necessary to establish, fertilize, and seed the slopes to control soil erosion shall be approved by the Peoria County Planning and Zoning Department and filed with the Peoria County Clerk. The reclamation bond shall be in force for the term of the Special Use Permit and one year beyond the expiration of the Special Use Permit. The reclamation bond shall be reviewed every 3 years to determine whether the amount should be increased. If requested by the Department of Planning and Zoning, Petitioner shall submit a revised estimate, prepared by a State of Illinois Registered Professional Engineer. If the Department of Planning and Zoning determines that the reclamation bond should be increased, Petitioner shall provide a bond in such higher amount.</td>
<td>Reclamation bond required as part of restrictions for ZBA case #006-19-U. As part of said restriction, an updated estimated cost, prepared by an Illinois licensed professional engineer and financial security shall be submitted to the Zoning Administrator every 4 years.</td>
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<tr>
<td>3</td>
<td>If at any time the reclamation process or mining activity on the property ceases for more than 12 consecutive months, the Special Use Permit shall be null and void.</td>
<td>Included as part of restrictions for ZBA case #006-19-U.</td>
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<tr>
<td>4</td>
<td>This Special Use shall be valid for 15 years from the date of passage by the County Board, except as provided in Restriction No. 3. An extension of time beyond said 15 years shall require a new Special Use.</td>
<td>No time limit proposed on ZBA case #006-19-U.</td>
</tr>
</tbody>
</table>
The petitioner shall be required to install a gravel entrance at the point of access. The gravel entrance shall be at least 8 feet wide, fifty feet long, and six inches deep. The gravel shall be two or three-inch aggregate stone, and the gravel shall be replaced as needed to maintain the six-inch depth.

If required, appropriate permits shall be obtained from the Illinois Environmental Protection Agency. Included as part of restrictions for ZBA case #006-19-U. Additional permits, if required, may need to be obtained from the Illinois Department of Natural Resources Office of Mines and Minerals.

Materials shall not be stockpiled below the applicable base flood elevation of the Kickapoo Creek according to Section 9.5 of the Peoria County Code. Included as part of restrictions for ZBA case #006-19-U. Floodplains are now regulated by Section 20-7.14 of the UDO.

An access permit shall be obtained from the Kickapoo Township Road Commissioner prior to any mineral extraction operations taking place on the property. No comments received from the Kickapoo Township Road Commissioner regarding existing access.

If there is any change in the drainage patterns on this property that will increase drainage onto any Illinois Department of Transportation right-of-way, a permit shall be obtained from the Illinois Department of Transportation. No comments received from IDOT.

**Pertinent cases in surrounding area:**
None

**Surrounding zoning and land use:**
According to the petitioner’s site plan, the mineral extraction facility on the subject parcel consists of a central stockpile, equipment storage in the southeast, and a mining site in the north. A gated entrance to the site is located on the southern boundary of the property, from Richwoods Boulevard. The western portion of the parcel, along Route 8, is in the floodplain. The petitioner has indicated that no mining activity takes place in this area. The subject parcel and all surrounding parcels are zoned “A-2” Agricultural. The property to the north contains woodland and a residence. The nearest principal residential dwelling is approximately 226 feet north of the property line of the subject parcel. Properties to the north are buffered by a significant number of trees located on the northern portion of the subject parcel. To the east is a vacant parcel. Parcels to the south and west consist of cropland and woodland. An industrially zoned district lies approximately 1,103 feet to the southeast. Several parcels containing timberland and a cemetery lie within the industrial zoned district. The remaining nearby industrial land is owned by the Peoria Disposal Company and is used as a private landfill. The proposed use is consistent with nearby industrially zoned district and use.

**Technical adequacy**
The subject property is currently zoned “A-2” Agricultural. Section 20-5.2.2.4.e allows for a special use for a mineral extraction facility, provided it meets the requirements of Section 20-7.12 “Mineral Extraction Facilities” of the UDO.
Section 20-7.12.2.3.4 of the Peoria County UDO indicates that where overburden will not exceed 10 feet in depth and where the operation will not affect more than 10 acres during a permit year, a reclamation plan shall be submitted to the County, along with bonding for the cost of reclamation. The petitioner has indicated that there is no overburden above the material removed. The petitioner’s site plan indicates a typical reclaimed slope of 1.5:1 or flatter. The petitioner has submitted a timeline and reclamation plan for the site. The petitioner indicates that the timeline is based on a 2-acre mining area, as depicted on the petitioner’s site plan. The timeline indicates removal of 100,000 tons of sand material using a 20-foot dig depth. According to the petitioner, this would amount to 5,000 tons of sand being removed per year for 20 years. Soile stockpiled on site would be imported to the site and used to replace the sand and reestablish existing grades. The petitioner indicates that after mining operations cease, the site would be reclaimed within three years. The reclamation plan indicates that the disturbed areas of the property will be restored to a natural or economically usable site. A minimum of four inches of topsoil will be spread over the disturbed areas and seeded. The intention is to restore the land to the existing contours. The petitioner’s reclamation plan suggests aggregate and concrete rubble recycling for the future use of the property, with the possibility for residential use.

Section 20-7.12.4 of the UDO restricts mineral extraction operations to at least 1,000 linear feet from any existing dwelling and 300 feet from any other building. A perimeter setback of 100 feet is to be maintained from these structures to be free of equipment, stockpiles and overburden. The nearest principal dwelling lies approximately 226 feet to the north of the property line of the subject parcel. The petitioner’s site plan indicates the mining operations will be over 1,000 feet from this dwelling.

Section 20-7.12.5 of the UDO indicates all excavations and stockpiles shall meet setbacks for structures in the zoning district. The required setback from Southport Road, a state highway, is 160 feet from the center of the right-of-way. The required setback from Richwoods Boulevard, a township road, is 65 feet from the edge of the right-of-way. The required side setback from the northern and eastern property lines is 30 feet. The petitioner’s site plan indicates all required setbacks will be met.

Section 20-7.12.6 requires that trucks entering and leaving a mineral extraction site shall meet the weight requirements of affected roads and that hauling permits shall be required from the appropriate jurisdictions for affected roads. According to the petitioner, the weight of a typical loaded truck entering or leaving the site is between 46,000 and 50,000 pounds. This truck would be hauling sand, aggregate, clay dirt, or topsoil. The Kickapoo Township Road Commissioner has indicated that the weight limit on W. Richwoods Boulevard is 12 tons (24,000 pounds). The road commissioner has also indicated that from February 15 through May 15 a bond would be required to haul loads over the weight limit. A contract would need to be signed by the petitioner indicating they would repair the roads back to satisfactory condition, as determined by the road district.

Section 7.12.8 of the Peoria County UDO indicates that the facility can only operate between the hours of 7:00 a.m. and 8:00 p.m. According to the petition, the facility will only be open between the hours of 7:00 a.m. and 4:30 p.m. Monday through Saturday.

A portion of this parcel is located in the special flood hazard area. According to the petitioner’s site plan, the facility will not be placed in this area. Any development within the special flood hazard area would require a floodplain development permit and would need to meet the requirements of Section 20-7.14 “Floodplain Regulations,” of the Peoria County UDO.

According to the Illinois Department of Natural Resources Office of Mines and Minerals, a permit would not be required unless the overburden exceeded 10 feet in depth or the operation affected more than 10
acres during a permit year. However, extraction of material does require registration with the Department. According to the petitioner, the site is already registered.

**ENVIRONMENTAL IMPACTS:**
The proposed use will not consume water or create wastewater. The soils will not be impacted by the need for a private wastewater disposal system. At the time of the review, no conditions were found that would cause the Health Department to recommend denial of the request.

**TRANSPORTATION IMPACTS:**
The parcel has access from Richwoods Boulevard, a township road and borders Southport Road, a state highway. According to the 2017 IDOT traffic map, there are an average of 10 vehicle trips along this portion of Richwoods Boulevard and 2,400 vehicle trips along this portion of Southport Road in a 24-hour period. According to the petition, the proposed hours of operation will be between the hours of 7:00 a.m. and 4:30 p.m. Monday through Saturday. The petitioner expects an average of 2 trucks per work day entering and exiting the site. Section 20-7.12.6 of the UDO requires that trucks entering and leaving the site shall meet the weight requirements of affected roads. In the event that haulage roads relating to the mineral extraction facility intersect with collector, county, state, or other public roadways, the operator shall be responsible for obtaining a permit from the regulating agency of that particular road and for such other safe traffic control as the County Board may require. The petitioner has indicated that the typical loaded truck entering and leaving the site would be between 46,000 and 50,000 pounds. The Kickapoo Township Road Commissioner has indicated that the weight limit on W. Richwoods Boulevard is 12 tons (24,000 pounds). The road commissioner has also indicated that from February 15 through May 15 a bond would be required to haul loads over the weight limit. A contract would need to be signed by the petitioner indicating they would repair the roads back to satisfactory condition, as determined by the road district. If the direction of the Kickapoo Township Road Commissioner is followed, the proposed special use will have minimal impact on the transportation system. The Peoria County Highway Department has deferred to the Kickapoo Township Road Commissioner. At the time of this report, no comments were received from IDOT.

**LAND USE FORM:**
The Future Land Use Form map in the Peoria County Comprehensive Land Use Plan designates this area as Agriculture and Environmental Corridor. Mineral extraction is an allowable use in the Agriculture Land Use Form. The western portion of the parcel is in the Special Flood Hazard Area. Portions of the property are heavily wooded. Portions of the property are located in the Environmental Corridor Land Use Form due to the floodplain and wooded areas. According to the petitioner’s site plan, mining operations and stockpiling will not take place in the Flood Hazard Area. The wooded portions of the property will not be disrupted by mining or stockpiling. The request is consistent with the Peoria County Comprehensive Land Use Plan Environmental Stewardship Principle that mining of natural resources does not conflict with other nearby land uses. Approval of the request would bring an existing mineral extraction facility into compliance with the UDO. Properties to the north, west, and south are buffered by existing trees on the subject parcel. The adjacent parcel to the east is vacant. The Peoria County Growth Strategies support the proposed use. The proposed special use will allow a mineral extraction facility to continue to operate from the property and will continue to provide an economic opportunity for the petitioner.
CONCLUSIONS

CONSISTENCY WITH ADOPTED COUNTY PLAN:
The Future Land Use Form map designates this area as Agriculture and Environmental Corridor. Mineral extraction is an allowable use in the Agriculture Land Use Form. The request is consistent with the Peoria County Comprehensive Land Use Plan Environmental Stewardship Principle that mining of natural resources does not conflict with other nearby land uses. The Peoria County Growth Strategies support the proposed use. The proposed special use will allow a mineral extraction facility to continue to operate from the property and will continue to provide an economic opportunity for the petitioner.

CONSISTENCY WITH COMMUNITY CHARACTER:
The subject parcel is located on the corner of Southport Road and Richwoods Boulevard. Uses on adjacent parcels consist of cropland, woodland, a dwelling, and a vacant property. The proposed use is consistent with a nearby industrial zoning district, which lies approximately 1,103 feet to the southeast. This district contains a private landfill for Peoria Disposal Company. Furthermore, the subject parcel has a long history of use as a mineral extraction facility. Approval of the request would bring an existing mineral extraction facility into compliance with the UDO.

MINIMIZING ADVERSE EFFECTS:
The request will bring an existing mineral extraction facility into conformance with the UDO. According to documentation included as part of NCU #364, the first use of the property as a mineral extraction facility was in February of 1968. Properties to the north are buffered by trees on the subject property. The petitioner has indicated that an average of two trucks per day will be entering and exiting the site. It is anticipated the use will not alter the transportation system. The nearest dwelling will be over 1,000 feet from the mining site.

PRESENCE OF NATURAL/HISTORICAL RESOURCES:
There is no known presence of natural or historical resources.

COMPLIANCE WITH ADDITIONAL STANDARDS:
If granted the use must meet all standards required in Section 20-7.12 “Mineral Extraction Facilities” of the Peoria County UDO. A portion of this parcel is located in the special flood hazard area. Any development within the special flood hazard area would require a floodplain development permit and would need to meet the requirements of Section 20-7.14 “Floodplain Regulations,” of the Peoria County UDO. If extraction occurs, registration with the Illinois Department of Natural Resources Office of Mines and Minerals is required.
RECOMMENDATION

Based on the above information, the Department recommends approval with the following restrictions:

1. In accordance with Section 20-7.12.2.4 of the Peoria County Unified Development Ordinance, a reclamation bond in an amount specified to cover the estimate prepared by an Illinois licensed professional engineer of the probable expenditures necessary to complete the items specified in the plan shall be approved by the Peoria County Planning and Zoning Department and filed with the Peoria County Clerk. The reclamation bond shall be submitted and approved by the Peoria County Planning and Zoning Department within 30 days of approval by the Peoria County Board. The reclamation bond shall remain valid for the life of the use. An updated estimated cost prepared by an Illinois licensed professional engineer must be submitted to the Zoning Administrator every 4 years. If the cost is increased, the petitioner shall provide a bond in such higher amount.

2. If at any time the reclamation process or mining activity on the property ceases for more than 12 consecutive months, the Special Use Permit shall be null and void. Reclamation of the site shall be completed within 3 years of the use ceasing, as indicated in the petitioner’s reclamation plan.

3. If required, appropriate permits shall be obtained from the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources Office of Mines and Minerals, and any other appropriate agencies.

4. In accordance with Section 20-7.14 of the Peoria County Unified Development Ordinance, materials shall not be stockpiled below the applicable base flood elevation.

5. In accordance with Section 20-7.12.4 of the Peoria County Unified Development Ordinance, no mineral extraction operation shall be carried out within 1,000 linear feet of any existing dwelling or within 300 feet of any existing structure (other than a dwelling), other than those owned by the applicant for the permit, unless written permission is first obtained from the owner of such dwelling unit or structure. A perimeter setback of 100 feet shall be maintained free of equipment, stockpiles, and overburden.

6. In accordance with Section 20-7.12.5 of the Peoria County Unified Development Ordinance, all excavations and stockpiles shall meet the setback requirements for the “A-2” Agricultural zoning district.

7. The applicant must meet all requirements set forth by the Kickapoo Township Road Commissioner. In accordance with Section 20-7.12.6.2 of the Peoria County Unified Development Ordinance, the applicant shall obtain any required permits from any other appropriate road jurisdictions.

8. In accordance with Section 20-7.12.8 of the Peoria County Unified Development Ordinance, the facility shall only operate between the hours of 7:00 a.m. to 8:00 p.m.

Respectfully submitted,

Corbin Bogle
Planner I

Kathi Urban
Director
Case No. 006-19-U at 10:00 a.m.  Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **PEORIA SAND & GRAVEL, INC. (A Corporation – Kenneth Aupperle – President, Steve Aupperle – Secretary/Treasurer, Roger Aupperle – Director, and Leroy Oaks – Director, all of 190 E. Washington St., Morton, IL 61550), acting on their own behalf, a SPECIAL USE request from 20-5.2.2.4.e of the Unified Development Ordinance.** This section allows for a Special Use for Mineral Extraction Facilities in the “A-2” Agriculture Zoning District, as provided for in Section 7.12 (“Mineral Extraction Facilities”). The petitioner proposes to operate a mineral extraction facility at this location.

**FINDINGS OF FACT FOR SPECIAL USES**

Section 20-3.5.4

When considering an application for a special use permit, the decision making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   - To renew the special use case 034-97-U for mineral extraction facilities and stockpile of mineral materials.

2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
   - Peoria Disposal Landfill is less than half a mile from this property.

3. That the design of the of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
   - The property is heavily lined with trees and has been a mineral extraction facility for 15 years. This road is closed and only used by local landowners.
4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable; and
   • The IDNR has not reviewed the property for species, archaeological or historical resources as it’s been a mineral extraction facility for over 15 years.

5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County.
   • This site does comply with the ordinance regulations of Peoria County.

A motion to approve the Findings of Fact was made by Mr. Harms and seconded by Mr. Unes. Six affirmative votes; (6-0) A motion to approve the Special Use with restrictions was made by Ms. O’Brien and seconded by Mr. Fletcher. A vote was taken and the motion was approved; (6-0)

Meeting adjourned 12:07 p.m.

Respectfully submitted,

Ellen Hanks
ZBA Administrative Assistant
RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for a Mineral Extraction Facility, provided that the conditions in Section 7.12 (“Mineral Extraction Facilities”) are met in the “A-2” Agricultural zoning district; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on May 9, 2019 in Case No. 006-19-U; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on May 9, 2019, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on June 13, 2019 to consider the ZBA’s recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County that the Special Use in Case No. 006-19-U is hereby approved with the following restrictions:

1. In accordance with Section 20-7.12.2.4 of the Peoria County Unified Development Ordinance, a reclamation bond in an amount specified to cover the estimate prepared by an Illinois licensed professional engineer of the probable expenditures necessary to complete the items specified in the plan shall be approved by the Peoria County Planning and Zoning Department and filed with the Peoria County Clerk. The reclamation bond shall be submitted and approved by the Peoria County Planning and Zoning Department within 30 days of approval by the Peoria County Board. The reclamation bond shall remain valid for the life of the use. An updated estimated cost prepared by an Illinois licensed professional engineer must be submitted to the Zoning Administrator every 4 years. If the cost is increased, the petitioner shall provide a bond in such higher amount.

2. If at any time the reclamation process or mining activity on the property ceases for more than 12 consecutive months, the Special Use Permit shall be null and void. Reclamation of the site shall be completed within 3 years of the use ceasing, as indicated in the petitioner’s reclamation plan.

3. If required, appropriate permits shall be obtained from the Illinois Environmental Protection Agency, the Illinois Department of Natural Resources Office of Mines and Minerals, and any other appropriate agencies.

4. In accordance with Section 20-7.14 of the Peoria County Unified Development Ordinance, materials shall not be stockpiled below the applicable base flood elevation.

5. In accordance with Section 20-7.12.4 of the Peoria County Unified Development Ordinance, no mineral extraction operation shall be carried out within 1,000 linear feet of any existing dwelling or within 300 feet of any existing structure (other than a dwelling), other than those owned by the applicant for the permit, unless written permission is first obtained from the owner of such dwelling unit or structure. A perimeter setback of 100 feet shall be maintained free of equipment, stockpiles, and overburden.
6. In accordance with Section 20-7.12.5 of the Peoria County Unified Development Ordinance, all excavations and stockpiles shall meet the setback requirements for the “A-2” Agricultural zoning district.

7. The applicant must meet all requirements set forth by the Kickapoo Township Road Commissioner. In accordance with Section 20-7.12.6.2 of the Peoria County Unified Development Ordinance, the applicant shall obtain any required permits from any other appropriate road jurisdictions.

8. In accordance with Section 20-7.12.8 of the Peoria County Unified Development Ordinance, the facility shall only operate between the hours of 7:00 a.m. to 8:00 p.m.

NOTICE: Approval of this special use does not constitute approval of wells or septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
ISSUE: #022-19-S: A Text Amendment to amend Chapter 20, Article 7, Section 7.3, 7.6 and 7.7 of the Peoria County Code.

BACKGROUND/DISCUSSION:
The proposed text amendment to articles in the Unified Development Ordinance is broken down into three specific sections of the code.

The proposed amendments to Section 7.3, Major Home Occupations, address where strict application of the landscaping point values may not be appropriate. Under the proposed amendment, compatible uses or sight lines of substantial distance, such as a major home occupation located next to an agricultural field, would no longer require a transitional bufferyard (TBY). In unique circumstance, the TBY could still be imposed by a restriction on a Special Use Case.

The proposed amendments to Section 7.6, Landscaping & Bufferyards offer flexibility to the landscaping for interior parking lot island point requirements by incentivizing the use of native plantings in managed landscaping designed to reduce stormwater impact. This amendment utilizes green design through the installation of biorention areas, which use soil and plants to treat stormwater before it is infiltrated or discharged. Runoff flows into the biorention area, where some of the water is absorbed by the plants and is filtered as it passes through the soil. This helps eliminate standing water in parking lots, excess discharge into roadside ditches and adjacent properties, and will add an aesthetic value, in addition to the stormwater and environmental impacts.

The proposed amendments to Section 7.7, Parking & Loading, allow for the Peoria County Code to be consistent with the Illinois Accessibility Code amendments, effective October 23, 2018. These amendments address shared accessibility aisles, required signage language and location, as well as pavement striping color.

COUNTY BOARD GOALS:
Healthy Vibrant Communities

ZBA RECOMMENDATION: Approval

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Senior Planner
DEPARTMENT: Planning & Zoning
DATE: May 17, 2018
The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition;

1. The proposed amendment to Section 7.3 “Home Occupation” corrects an inconsistency for application of landscaping point values identified for compliance when compatible uses or substantial sight lines may otherwise not require strict adherence.
2. The proposed amendment to Section 7.6 “Landscaping and Bufferyards” meets the challenge of changing conditions for development. The use of native plants in managed landscaping plans designed to reduce stormwater impact can be economical, low-maintenance, effective in soil and water conservation, and may preclude the excessive use of pesticides, herbicides, and fertilizers.
3. The proposed amendments to Section 7.7 “Parking & Loading Requirements” corrects an inconsistency between the Peoria County parking regulations and the Illinois Accessibility Code amendments, effective October 23, 2018.

The proposed amendment is consistent with the purpose and intent of this ordinance;

1. The proposed amendment to Section 7.3 “Home Occupation” clarifies that landscaping shall be required to reduce visual impacts of off-street parking areas for home occupations, which is consistent with the purpose of controlling the impact that home occupations may have on neighborhood character and on the use and enjoyment of adjacent properties.
2. The proposed amendment to Section 7.6 “Landscaping and Bufferyards” identifies that any alternative compliance must meet the performance standards identified within the Unified Development Ordinance, which is consistent with providing flexibility in landscape design.
3. The proposed amendment to Section 7.7 “Parking & Loading Requirements” is consistent with meeting compliance with standards established by the State of Illinois.

The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public;

1. There is no evidence to suggest that any of the proposed amendments will adversely affect health, safety, morals, and general welfare of the public.

The proposed amendment is required because of a change in state or federal law.

1. The proposed amendment is not required because of a change in state or federal law.
2. The proposed amendment is not required because of a change in state or federal law.
3. The proposed amendment is required to order to be consistent with the Illinois Accessibility Code amendments, effective October 23, 2018.
Sec. 7.3.5 - Major Home Occupations

7.3.5.5. Landscaping shall be required to reduce the visual impact of screen off-street parking areas, loading zones, outdoor storage areas, and outdoor work areas from the view of adjacent properties utilized for residential and institutional uses. Landowners, according to the provisions set forth in Section 7.6 ("Landscaping and Bufferyards") residential dwelling, religious institution, or school.
Sec. 7.6 - Landscaping and Bufferyards

7.6.6.1 Parking Lot Landscaping.
1. The number of points that must be achieved for parking lots through landscaping shall be equal to the total number of parking spaces provided. The points may be achieved through the use of any combination of trees and/or shrubs.
2. When a parking lot has less than one hundred (100) parking spaces the landscaping may be placed within interior curbed parking islands and/or within ten (10) feet of the perimeter of the parking lot.
3. When a parking lot has one hundred (100) or more parking spaces, one-half (½) of the required points shall consist of shade trees planted in curbed islands within the interior of the parking lot. The intent of this provision is to break up large expanses of pavement and to provide shading by locating shade trees away from the perimeter and within the interior of parking lots.
4. The minimum area for planting all types of trees within parking lots shall not be less than twelve and one-half feet by twelve and one-half feet (12.5' x 12.5') or one hundred fifty seven and one-quarter (157.25) square feet. Shade trees and intermediate trees shall not be planted in any area with a width of less than five (5) feet. Evergreen trees shall not be planted in an area with width of less than two (2) feet.
5. Parking lot islands shall be curbed with concrete or a functionally equivalent material. Curb breaks should be utilized to allow stormwater to enter planted areas. The following materials are not considered functionally equivalent to concrete curbs and are therefore unacceptable for use as curbs:
   a. Landscape timbers
   b. Railroad ties
   c. Wood/lumber
   d. Concrete wheel stops

7.6.6.2 Alternative Parking Lot Landscaping
1. The county encourages the use of special design features such as bioretention systems and landscaping with native species. All site development and redevelopment projects should consider the following alternative landscape options:
   a. Bioretention Systems: Bio-retention systems are shallow, landscaped depressions commonly located in parking lot islands or within areas that receive stormwater runoff. Bioretention systems generally may consist of a grass buffer strip, sand bed, ponding area, organic layer or mulch layer, planting soil, and plants. The bioretention system shall be aboveground and a visible part of the green or landscaped area & meet the requirements of Section 7.6.9.3.
   b. Native Species: Illinois native plantings, grasses, and perennials, as identified by the Natural Resources Conservation Service

7.6.9 Incentives.
1. Incentive for Preserving Existing Landscaping. Existing landscaping that is in a vigorous growing condition and is not specifically prohibited by this ordinance may count toward meeting the point requirements of this section. Furthermore, the following plant materials will be awarded five (5) additional points (added to base value) per tree when preserved:
   a. Shade Trees—Twelve (12) inches diameter trunk or greater.
   b. Intermediate Tree—Fifteen (15) feet height or taller.
   c. Evergreen Tree—Fifteen (15) feet height or taller.
2. **Incentive for Planting Larger Landscaping.** Planting of landscaping larger than the minimum required sizes as specified herein will be rewarded with five (5) additional points (added to base value) per tree when the proposed sizes are as follows:

   a. Shade Trees—Four (4) inches diameter (five (5) inches in Transitional Buffer Yard (TBYs)) or greater.
   b. Intermediate Tree—Ten (10) feet height or taller.
   c. Evergreen Tree—Ten (10) feet height or taller.

3. **Incentive for Bioretention with Native Landscaping within Parking Islands.** The use of native plants in managed landscaping plans designed to reduce stormwater impact can be economical, low-maintenance, effective in soil and water conservation, and may preclude the excessive use of pesticides, herbicides, and fertilizers. Planting of native landscaping in bioretention systems on interior curbed parking islands may be considered functionally equivalent to meeting the interior curbed parking island points, as required in Section 7.6.6.1, when designed by a licensed Landscape Architect and the following requirements can be met:
   
   a. A minimum size of 5 percent of the drainage area of the parcel for a bioretention area that includes a sand bed or a minimum size of 7 percent of the drainage area of the parcel for a bioretention area that does not include a sand bed.
   
   b. When an interior curbed parking island is designed with bioretention systems landscaping with native species, the number of required points consisting of shade trees planted in curbed islands within the interior of the parking, as required in Section 7.6.6.1, shall be reduced by one-half (1/2).
   
   c. Unless specified in subsection 7.6.9.3.d below, all native landscaping shall meet the requirements of Section 7.6.8.2 “Minimum Plant Material Size” for all trees and shrubs planted.
   
   d. At the end of the second full growing season, no less than ninety percent (90%) of any live native herbaceous plant material installed shall be alive and in vigorous condition. There shall be zero (0) invasive/exotic species that have become established throughout the entire project area. There shall be no area(s) greater than twelve inches by twelve inches (12” x 12”) that are devoid of vegetation. There shall be no rills or gullies present throughout the project area.
Sec 7.7 – Parking and Loading Requirements

7.7.6 Spaces for the Handicapped

7.7.6.2.c

Each parking space for the handicapped must meet the requirements of the Illinois Accessibility Code, shall be at least sixteen (16) feet wide including an eight-foot wide access aisle, and adjacent parking spaces shall not be permitted to share a common access aisle. However, diagonal parking spaces shall not share an access aisle. Access aisles serving diagonal parking spaces shall be located on the passenger side of the vehicle space. All access aisles shall blend to a common level with an accessible route and shall be diagonally striped so as to discourage parking in them. A high quality yellow paint recommended by the paint manufacturer for pavement striping shall be used.

7.7.6.2.f

Each parking space for the handicapped shall be equipped with a sign which complies with 625 ILCS 5/11-301 et seq., as amended, and shall meet the requirements of Sign R 7-8, U.S. Department of Transportation Standard and the Illinois Department of Transportation. Signs shall bear the internationally accepted wheelchair symbol and the dollar amount of the fine as required by the Illinois Vehicle Code [625 ILCS 5/1124 and 301.1]. The sign shall be vertically mounted on a post or a wall at the front center of the parking space, no more than five (5) six (6) feet horizontally from the front of the parking space, and set a minimum of four (4) five (5) feet and a maximum of 9 feet from finished grade to the bottom of the sign.
Case No. 022-19-S at 11:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of PEORIA COUNTY, acting on their own behalf, a TEXT AMENDMENT to amend Chapter 20, Article 7, Section 7.3, 7.6 and 7.7 of the Peoria County Code.

FINDINGS OF FACT FOR TEXT AMENDMENTS
Section 20-3.6.4

In evaluating a proposed text amendment, the following factors shall be considered, not one of which shall be controlling:

1. The proposed amendment corrects an error or inconsistency or meets the challenge of some changing condition;
   • The proposed amendment to Section 7.3 “Home Occupation” corrects an inconsistency for application of landscaping point values identified for compliance when inconsistent use or substantial sight lines may otherwise not require strict adherence.
   • The proposed amendment to Section 7.6 “Landscaping and Bufferyards” meets the challenge of changing conditions for development. The use of native plants in managed landscaping plans designed to reduce stormwater impact can be economical, low maintenance, effective in soil and water conservation, and may preclude the excessive use of pesticides and fertilizers.
   • The proposed amendments to Section 7.7 “Parking and Loading Requirements” corrects an inconsistency between the Peoria County parking regulations and the Illinois Accessibility Code amendments, effective October 23, 2018.

2. The proposed amendment is consistent with the purpose and intent of this ordinance;
   • The proposed amendment to Section 7.3 “Home Occupations” clarifies that landscaping shall be required to reduce visual impacts of off-street parking areas for home occupations, which is consistent with the purpose of controlling the impact that home occupations may have on neighborhood character and on the use and enjoyment of adjacent properties.
The proposed amendment to Section 7.6 “Landscape and Bufferyards” identifies that any alternative compliance must meet the performance standards identified within the Unified Development Ordinance, which is consistent with providing flexibility in landscape design.

The proposed amendment to Section 7.7 “Parking and Loading Requirements” is consistent with meeting compliance with standards established by the State of Illinois.

3. The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public;
   - There is no evidence to suggest that any of the proposed amendments will adversely affect the health, safety, morals, and general welfare of the public.

4. The proposed amendment is required because of a change in State or Federal law;
   - The proposed amendment is not required because of a change in State or Federal law.
   - The proposed amendment is not required because of a change in State or Federal law.
   - The proposed amendment is required in order to be consistent with the Illinois Accessibility Code amendments, effective October 23, 2018.

A motion to approve the Findings of Fact was made by Mr. Fletcher and seconded by Mr. Bateman. Six affirmative votes; (6-0) A motion to approve the Text Amendment was made by Ms. O’Brien and seconded by Mr. Fletcher. A vote was taken and the motion was approved; (6-0)

Meeting adjourned 12:07 p.m.

Respectfully submitted,

Ellen Hanks
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD  
COUNTY OF PEORIA, ILLINOIS  

Your Land Use Committee does hereby recommend passage of the following Ordinance:

RE: Amendments to Chapter 20, Unified Development Ordinance, Peoria County Code

RESOLUTION

WHEREAS, the County of Peoria has adopted certain rules regarding land development in Peoria County found at Chapter 20, Unified Development Ordinance, Peoria County Code; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, amends Section 7.3 (“Major Home Occupations”), Section 7.6 (“Landscape & Bufferyards”), and Section 7.7 (“Parking & Loading”); and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, reduces transitional bufferyard requirements for a Major Home Occupation when compatible uses or sight lines of substantial distance lie adjacent to the proposed use; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, offers flexibility for landscaping for interior parking lot island point requirements; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, allows Peoria County accessible parking regulations to be consistent with Illinois Accessibility Code amendments, effective October 23, 2018; and

WHEREAS, your Committee met on June 13, 2019 and voted to approve the attached amendments to Chapter 20.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County that this 13th day of June, 2019, that Peoria County hereby adopts the attached amendment to Chapter 20 of the Peoria County Code, effective immediately.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
AGENDA BRIEFING

COMMITTEE: Land Use Committee
MEETING DATE: June 13, 2019

LINE ITEM: Revenue:
Expenditure:

ISSUE: A waiver request from Section 3.16.2.3.b.2.b, which requires that a minimum of 60 feet of contiguous public road frontage for all parcels created by tract survey which are 10 acres or greater.

BACKGROUND/DISCUSSION:

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES

STAFF RECOMMENDATION:
Approval

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Senior Planner
DEPARTMENT: Planning & Zoning
DATE: 5/16/2019

ATTACHMENTS:

<table>
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<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>W02-19 Agenda Brief</td>
<td>Backup Material</td>
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<tr>
<td>W02-19 Supporting Documentation</td>
<td>Backup Material</td>
</tr>
<tr>
<td>W02-19 Resolution</td>
<td>Backup Material</td>
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</tbody>
</table>
AGENDA BRIEFING

COMMITTEE: Land Use  LINE ITEM: N/A
MEETING DATE: May 28, 2019  AMOUNT: N/A

ISSUE: Subdivision Waiver Case W02-19
Petitioner(s): Bradly & Margaret Rolando
Waiver Requests: Section 20-3.16.2.3.b.2.b (Road Frontage Waiver)
Property Location: 17301 W. McDonald Rd. Trvioli, IL 61569
                   NW 1/4, Sec. 19 in Logan Township (16-19-100-010)
Zoning: “A-1” Agricultural Preservation
Land Use Form: Agricultural Preservation/Environmental Corridor

BACKGROUND/DISCUSSION: This case is located in District #18, which is Paul Rosenbohm’s
district. The petitioners, Bradley & Margaret Rolando, seek approval of a waiver from Section 20-
3.16.2.3.b.2.b of the Unified Development Ordinance. This section requires a minimum of 60 feet of
contiguous public road frontage for parcels being created by tract survey which are 10 acres or greater.

The petitioner proposes to divide 10.5 acres from an existing 85.045 acre parcel in order to separate an
existing homesite from recreational land. The proposed 10.5 acre parcel will maintain ownership of the
existing 20 feet of public road frontage along W. McDonald Road. According to the petitioner, there is
an agreement to acquire 60 ft of road frontage from an adjacent property owner to accommodate the
frontage requirements for the remainder parcel. An existing driveway with access to West McDonald
Road will service both parcels. The proposed 10.5 acre parcel consists of an existing house, garage, and
lake, while the remaining 75.5 acre parcel consists of a cabin, shed, and a barn. The waiver request was
filed concurrently with Variance Case #2019-024-V to allow for the creation of a parcel with an
accessory structure and no principal structure. Without the approval of both the variance and waiver
requests, the tract survey for land split could not be approved. There was no comment on the waiver
request from the County Clerk nor Highway Department. The property is located in the NW ¼ of
Section 19 in Logan Township.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITY

STAFF RECOMMENDATION: Approval

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Senior Planner
DEPARTMENT: Planning & Zoning
DATE: May 15, 2019
County of Peoria
DEPARTMENT OF PLANNING & ZONING
Peoria County Courthouse • Room 301
324 Main Street • Peoria Illinois 61602-1313
Telephone (309) 672-6915 • Fax (309) 672-6075 • TDD: (800) 526-0844
Website: http://www.peoriacounty.org

Kathi Urban, Director

PETITION FOR WAIVER FROM
UNIFIED DEVELOPMENT ORDINANCE SUBDIVISION COMPLIANCE

Applicant Name: Brayla & Margaret Rolando
Address: 11301 W. McDonald Rd
City: Trivoli State: IL Zip: 61569
Phone: 309-357-0851

Owner’s Name: Brayla & Margaret Rolando
Address: 11301 W. McDonald Rd
City: Trivoli State: IL Zip: 61569
Phone: 309-357-0851

Parcel Address: 11301 W. McDonald Rd Trivoli, IL 61569 Parcel Size: 85.045 Ac.
Parcel ID #: 16119100010 Land Use Form Designation: Ag Preservation / Environmental Corridor

☑️ Tract Survey ☐ Subdivision Number of Lots to be created: 1

Ordinance Section(s) to be Waived: 20-3.10.2.3.b.2.b

1. Explanation of Request (include specific information): Requesting a waiver to not
   require frontage from 20' to 60' as we are splitting
   from one to two parcels - see site plan.

2. What Hardship exists that prevents you from
   meeting the Ordinance’s minimum requirements? To minimize the impact
   on agricultural use. The
   current 20' frontage is sufficient for residents. The
   current frontage was accommodated the second parcel

3. What impact will the approval of your request have on the immediate area? The approval will retain the
   agricultural use of the land

I certify that statements made in this petition are true to the best of my knowledge, and that there are no
restrictions, covenants or limitations which are filed of record in Peoria County, Illinois, which limit or
effect the request that we are submitting.

Signature: Brayla & Margaret Rolando Date: 4/29/2019

FOR OFFICE USE ONLY

<table>
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<tr>
<th>ATTACHMENTS:</th>
<th>Site Plan:</th>
<th>Receipt No.</th>
<th>Fee Paid:</th>
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<tbody>
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<td>✔️</td>
<td>21600024876</td>
<td>4/29/2019</td>
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G:\SUBDIVISIONS\SUBDV. Forms\Waiver.2011.docx
Date: May 7, 2019
To: Amy McIaren, Matt Smith
From: Andrew Braun
Re: May 2019 Unified Development Ordinance Waiver Request

INTEROFFICEMAIL

Enclosed please find the waiver request for the May Land Use Committee meeting.

W02-19:
The petitioners, Bradly & Margaret Rolando, seek approval of a waiver from the Unified Development Ordinance. Section 20-3.16.2.3.b.2.b which requires a minimum of 60 feet of contiguous road frontage for parcels being created by tract survey which are 10 acres or greater.

The petitioner proposes to divide 10.5 acres from an existing 85.045 acre parcel in order to separate an existing homesite from recreational land. According to the petitioner, there is an agreement to acquire 60 ft of road frontage from an adjacent property owner to accommodate the frontage requirements for the remainder parcel. An existing driveway with access to West McDonald Road will service both parcels. The proposed 10.5 acre parcel consists of an existing house, garage, and lake, while the remaining 75.5 acre parcel consists of a cabin, shed, and a barn. The waiver request was filed concurrently with a variance request to allow for the creation of a parcel with an accessory structure and no principal structure. The property is located in the NW ¼ of Section 19 in Logan Township.

The Land Use Committee meeting is Tuesday, May 28, 2019. I would greatly appreciate any comments regarding this waiver request no later than Wednesday, May 15, 2019, so that my report to the Land Use Committee includes your comments. If I do not receive any comments by the 15th, I will assume you have no comment, and as such will be reflected in my report.
May 16, 2019

Bradly & Margaret Rolando  
17301 W. McDonald Rd.  
Trivoli, IL 61559

RE: May 28, 2019 (NOW June 13, 2019)  
Land Use Committee meeting

Dear Applicant,

For your information I have enclosed a copy of a report that pertains to your subdivision road waiver request. This office prepared the report and recommendation for the Land Use Committee. The Land Use Committee of the Peoria County Board will entertain your request for a waiver from strict compliance with the Peoria County Unified Development ordinance.

Please be aware that the Land Use Committee meeting has been rescheduled and will now be held on Thursday, June 13 at 5:00 p.m. in Room 402 in the Peoria County Courthouse. Tentatively this case is scheduled to go to the County Board (Room 403) on June 13, 2019 at 6:00 PM for final approval. Please know that you are not required to be present at either meeting, but are welcome to come if you are able.

If you find that you have any questions, do not hesitate to contact me.

Sincerely,

Andrew Braun  
Senior Planner
TO THE HONORABLE COUNTY BOARD
COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Modification of subdivision regulations for Bradly & Margaret Rolando, for a tract survey of part of the NW ¼ of Section 19, Logan Township, Peoria County, Illinois

RESOLUTION

WHEREAS, the County of Peoria has adopted a Unified Development Ordinance which regulates the subdivision of land and which is found in Chapter 20 of the Peoria County Code; and

WHEREAS, Section 20-3.15 of the Unified Development Ordinance allows for modification of the regulations within the Ordinance; and

WHEREAS, this Committee has determined that Bradley & Margaret Rolando, will incur an extraordinary hardship if required to comply with Section 20-3.16.2.3.b.2.b; and

WHEREAS, this Committee has determined that waiving compliance with Section 20-3.16.2.3.b.2.b will not nullify the purpose of the comprehensive plan or the Unified Development Ordinance; and

WHEREAS, your Land Use Committee would recommend waiving compliance with Section 3.16.2.3.b.2.b which requires that a minimum of 60 feet of contiguous public road frontage for all parcels created by tract survey which are 10 acres or greater.

NOW THEREFORE BE IT RESOLVED, by the Peoria County Board, that waiver of compliance with Section 3.16.2.3.b.2.b is approved.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE