1. **Call to Order**

2. **Suspension of Rules**

3. **Approval of Minutes**
   - April 7, 2020

4. **Reports / Other Minutes / Updates**
   - Tri-County Regional Planning Commission Minutes
   - Unsafe Structures
   - Development Summary

5. **Zoning Cases**
   - Case #22-20-S, Petition of Peoria County
   - Case #18-20-U, Petition of Debra S. Silzer

6. **Subdivision Waiver**
   - Wo4-20, Petition of Debra Silzer

7. **Committee Action**
   - Review of Executive Session Minutes

8. **Miscellaneous**

9. **Adjournment**
MINUTES
LAND USE COMMITTEE
APRIL 7, 2020
11:00 A.M.

MEMBERS PRESENT: James Dillon – Chairman; Sharon Williams, Brian Elsasser, Kate Pastucha

MEMBERS ABSENT: Matt Windish

OTHERS PRESENT: Larry Evans - State's Attorney's Office; Scott Sorrel, Shauna Musselman, Angela Loftus, Gretchen Pearsall - County Administration; Kathi Urban, Andrew Braun - Planning & Zoning; Mark Little – IT; Doug Gaa – Sheriff’s Office;

Call to Order:
Mr. Dillon called the meeting to order at 11:04 a.m.

Ms. Pastucha made a motion to suspend the rules to hold the meeting virtually and was seconded by Mr. Elsasser. A vote was taken and the motion was approved: (4-0) (Mr. Windish was absent.)

Approval of Minutes:
A motion to approve the Land Use Committee minutes from February 25, 2020 was made by Mr. Elsasser and seconded by Ms. Williams. A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

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:
011-20-U, Petition of David & Carroll Inskeep:
Ms. Pastucha made a motion to approve the special use with restriction and was seconded by Mr. Elsasser.

Ms. Urban summarized the case. A Special Use as required in Section 20.5.1.3.2.a of the Unified Development Ordinance. This section allows for a special use for an Agriculturally-related business. The petitioner proposes to operate a commercial pumping business in the "A-1" Agricultural Preservation Zoning District. This parcel is located on Schaffer Road in Elmwood.
Township. There are 0 consents and 0 objections on file. This parcel consists of 104 acres, the majority of which is in row crop production. The petitioners would like to construct a 6,000 square foot building in the northeast corner of the property in order to store business equipment for Inskeep Custom Services, Inc. Inskeep Custom Services, Inc. has been in operation for over 20 years and offers hog manure pumping services. The Inskeeps recently sold another farm where the business equipment was being stored, so they would like to build the proposed building in order to store the equipment on this property instead. This parcel and surrounding parcels are all zoned “A-1” Agriculture Preservation. The request is consistent with the agricultural uses and character of the surrounding area. The Health Department had no objection to the request. The proposed shed will be accessed by an existing access point off W. Schaffer Rd., and no new access points are proposed. The business employs one full time employee and one part time employee. The equipment is used for four weeks in the spring and for two to two and a half months during the fall, and there would be approximately twenty trips to the proposed machine shed in the course of a year. The Elmwood Township Road Commissioner had no comment. The Peoria County Future Land Use Form Map designates this area as Agriculture Preservation and Environmental Corridor. The proposed shed will not be located in the section of the parcel designated as Environmental Corridor. The request is consistent with the Agriculture Preservation Land Use Form, the Peoria County Growth Strategies, and the City of Elmwood Land Use Plan. The City of Elmwood is within 1.5 miles of the subject parcel. Staff has recommended approval with the following restriction: The Special Use is null and void in the event the parcel is no longer owned by David Inskeep, Carroll Inskeep, or their legal descendants. The Zoning Board of Appeals also recommended approval with the same restriction.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

007-20-U, Petition of Debbie S. Jost:
Ms. Pastucha made a motion to approve the special use with restriction and was seconded by Mr. Elsasser.

Mr. Urban summarized the case. A Special Use as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25 acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner proposes to divide 1.348 acres from an existing 11.448 acre parcel in order to move an existing single family dwelling. The parcel is located on Tuscarora Road in Hollis Township. There are 0 consent and 0 objections on file. The following subdivision waiver case has been filed concurrently with this zoning case to address the issue of road frontage for the proposed parcel to be created. There is currently a single family dwelling on the 11 acre piece along with some woodland. The property and all adjacent parcels are zoned “A-2” Agriculture. Surrounding uses are cropland, woodland, and residential and there are over 40 parcels under 2 acres which are zoned or used residentially within approximately 0.5 miles of the subject parcel. No cropland will be taken out of production as a result of the split and the remaining 10 acres will continue to be used as it is currently. A dwelling which now lies approximately 0.13 miles to the east will be moved onto the 1.384 acre piece. The proposed request is consistent with the residential and agricultural land use and character of the surrounding area. The overall LESA score was 155.1 out of 300, which is a low rating for agriculture protection. The Health Department had no objections to the request and the property will continue to be served by an existing private septic system and public water.
Moving the home 0.13 miles will have little to no effect on the existing transportation system. The proposed 1.348 acre parcel will be accessed by an existing driveway from W. Tuscarora Rd. According to the petitioner, a 20 foot ingress/egress easement will be created to provide access to the proposed 1.348 acre parcel through this driveway. The existing access driveway already serves 4 homes and this home would be the fifth. The Hollis Township Road Commissioner made no comment on the request. The request is consistent with the Peoria County Comprehensive Land Use Plan and the Peoria County Rural Area Growth Strategies. Staff has recommended approval with the following restriction: Parcels created by the approval of this Special Use may not be divided again, even if subsequently combined with other parcels, unless a rezoning is granted by the County Board or unless each lot to be created meets the 25 acre minimum lot size of the "A-2" zoning District. The Zoning Board of Appeals recommended approval with the same restriction.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

**Subdivision Waivers:**

W02-20, Petition of Debbie S. Jost:

Mr. Elsasser made a motion to approve the subdivision waiver and was seconded by Ms. Pastucha.

Ms. Urban summarized the case. A waiver from Section 20-3.16.3.2.b.1 of the Unified Development Ordinance. This section requires a minimum of 30 feet of contiguous public road frontage for parcels being created by subdivision which are less than 10 acres. The lot created will be landlocked and will utilize the existing driveway for access. There will be a 20 foot ingress/egress easement created to provide access to the proposed 1.348 acre parcel. The Highway Department also suggested that an easement be created for this parcel. Staff has recommended approval with the following restriction: A 20’ wide perpetual easement for ingress/egress to the proposed parcel from W. Tuscarora Road must be created at the time of creation of the proposed parcel.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

**Resolutions:**

FY20 Planning & Zoning Grant Fund Application:

Ms. Williams made a motion to approve the resolution and was seconded by Ms. Pastucha.

Mr. Sorrel stated that this resolution was regarding money that was left over from the grant awarded to Planning and Zoning through the Illinois Housing Development Authority in prior years. Mr. Sorrel added that there was $14,900 leftover that would need to be appropriated to the FY20 budget for use this year. The purpose of these funds is to assist with the demolition of abandoned residential properties. The target area for the use of these funds is the West Laramie Neighborhood.

Ms. Williams asked Ms. Urban to fill the committee in on what had been taking place between Peoria County and Limestone Township. Ms. Urban stated that she and Ms. Williams had been meeting with Limestone Township somewhat frequently over the past year in order to address concerns about the area since there are a number of unsafe houses and houses with property maintenance issues in the neighborhood. Ms. Urban explained that Limestone Township was
currently working on acquiring an unsafe property in the neighborhood. If they are able to acquire the property, the county would be using these funds to assist in the demolition of the house. Ms. Urban stated that if Limestone Township were able to acquire the property, it would relieve the county of taking the process through demolition court because Limestone Township could give owner’s consent to have it demolished. Ms. Urban added that Limestone Township would be meeting the following week to discuss the property in question, which is located on Crest Drive.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)

Peoria County Fair Housing Program:
Mr. Elsasser made a motion to approve the resolution and was seconded by Ms. Pastucha.

Mr. Sorrel explained that this was the first step in the process for a new program called the Downstate Small Business Stabilization Program, which was established several days prior by the governor. Mr. Sorrel stated that the grant would offer qualifying small businesses up to $25,000. Qualifying small businesses would have 50 or fewer employees and grant funds would have to be spent on working capital, such as wages, rent/mortgage, or purchase of goods. Businesses deemed as essential by the governor would not qualify for this grant funding. The source of funding for this grant from the state is through the Community Development Block Grant through the U.S. Department of Housing and Urban Development (HUD). Small businesses located within the city limits of the City of Peoria would not be eligible for these particular funds because they already receive their own Community Development Block Grant funds each year. These funds would be specifically for unincorporated areas of Peoria County or other villages or towns within Peoria County, with the exception of the City of Peoria.

Mr. Sorrel stated that small businesses would then be able to apply for the grant funds through a portal created by the Greater Peoria Economic Development Committee and each municipality would then review each application to make sure that they were complete and that the business was not deemed essential. Peoria County Planning and Zoning would be performing this application review for any businesses located within unincorporated Peoria County. The state will then review these applications and then award the funds to each municipality, which will in turn award that money to the small businesses within their jurisdiction.

Mr. Sorrel continued that to be eligible for these funds, the county would need to pass a fair housing resolution in order to use HUD money. Mr. Sorrel added that this is just the first step in a multilevel process in order to be eligible for the grant.

Mr. Dillon asked why Peoria County did not have a fair housing grant in the past, and Mr. Sorrel responded that Peoria County had never received HUD funding before, and therefore never had a reason to adopt a fair housing resolution. Mr. Dillon asked if this only needed to be passed one time or if it would need to be renewed annually. Mr. Sorrel stated that he believed it would be something that would be renewed annually, but he was not sure. Ms. Urban stated that she also was not sure if it would need to be renewed annually. Ms. Urban explained that this resolution simply states that the county will commit to abiding by the rules set forth in the Fair Housing Act, which is already a federal law.

A vote was taken on the motion and carried. (4-0) (Mr. Windish was absent.)
**Miscellaneous:**
No further questions or comments were made.

**Adjournment:** Mr. Dillon adjourned the meeting at 11:27 a.m.

*Recorded by: Ellen Hanks, ZBA Administrative Assistant*
Ways & Means Committee...........................................4:30 p.m., February 27, 2020
Full Commission/Executive Board (in lieu of Lack of Quorum)...5:30 p.m., February 27, 2020

MINUTES

1. Call to Order, Welcome, Recognition of Audience
Chairman Neuhauser called the meeting to order at 5:30 pm

2. Roll Call

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Staff: Miller, Stratton, Lees, Bruner, Martin, and Harms

3. Public Input-none

4. Motion to approve January 23, 2020 minutes
Rosenbohm moved to approve January 23, 2020 minutes and Sundell seconded. Motion carried.

5. Executive Director report
Miller reported on the following:
- Staff reviews are completed
- 1 promotion in place will be Britney West to Specialist II
• Change banking has been discussed in Ways & Means and Morton Community Bank was chosen. We contacted Associated and Morton Community Bank and Ways & Means chose Morton Community Bank.
  o Sundell asked if we checked CEFCU Business and Stratton said no.
• Smith mentioned that Morton Community Bank has $700,000 FDIC while Busey only has $250,000 FDIC, plus Morton Community Bank will be a Sweep Account.

6. Ways and Means Report
   a. Motion to approve January Financial Statements and Billings (Resolution 20-36)
      Smith moved to approve January Financial Statements and Billings (Resolution 20-36) and Rosenbohm seconded. Motion carried.
• Stratton reported on the following:
  o Total cash $904,79 Operating Cash decreased $32,949 and our Restricted Cash accounts increased by $949 which means we reduced our overall cash position by $32,030 during January.
  o Accounts receivables 245,971-$97, 257 is federal funds, $122,097 is state funds $9,660 is local GIS and planning services, $2,082 is for annual PPUATS billings, and $14,875 is member dues.
  o Accounts Payable $141,066- $129,953 of that is for contract services, $7500 is APWA, which is now paid, and $3,633 is regular monthly bills unpaid as if the 1st day of the month.
  o Total Billings for January were $207,832. We had direct pass-throughs of $125,865 = Operating Revenue $81,967
  o Total Incoming Bills for January were $200,862 – less pass-throughs of $125,865 = Operating Expenses of $74,997
  o Out bottom line for January is positive $6,970 which improves our year to date surplus to $24,113.

7. Unfinished Business-none

8. Administration-nothing

9. Planning
   a. Motion to approve adoption of the Tri County Multi-Jurisdictional Natural Mitigation Plan (Resolution 20-37)
      Sundell moved to approve adoption of the Tri County Multi-Jurisdictional Natural Mitigation Plan and Rosenbohm seconded. Motion carried.
• Bruner explained that this is for 15 participating jurisdictions and has worked with consultant of American Environmental. The plan was submitted October 2019 and FEMA reviewed the plan. FEMA approved in October 23, 2019. The plan is good form October 23, 2019 – October 23, 2024. The funding is for pre-disaster projects. Tri-County will work with FEMA to apply for funding in 2022-23 for completing the next 5-year update.
• Neuhauuser asked what type of projects? Bruner replied generators, sirens, tornado shelters. Also, can be used for flood control.
• Miller explained how to apply. Bruner will then need to prep the application for fall application.
• Neuhauuser asked is there a % limit on disaster and Bruner said 80%
b. Motion to approve Executive Director to enter into agreement for additional Illinois Department of Human Services 2020 Census funding (Resolution 20-39)
Smith moved to approve Executive Director to enter into an agreement for additional Illinois Department of Human Services 2020 Census funding (Resolution 20-39) and Rosenbohm seconded. Motion carried.
Bruner explained that we have received the grant for $500,000 for 9 areas but is applying for additional funds. Tri County is requesting 5% increase so we can expand the existing Media Marketing Campaign and $75,000 for Geographic Gap to expand the Media Marketing Campaign into Peoria County.
c. Motion to approve staff to attend “Walkability Action Institute” conference in Atlanta, GA (Resolution 20-38)
d. Motion to approve Executive Director to enter into an agreement with National Association of Chronic Disease Directors (NACCD) as fiscal agent not to exceed $10,374. (Resolution 20-40)
Sundell moved to approve c & d and Kingdon seconded. Motion carried.
- Lees explained that a staff member has been identified as a team member for the National Association of Chronic Disease Directors (NACDD) Walkability Action Institute April 13-16, 2020 in Decatur, GA. This is to prepare interdisciplinary teams for MPO regions to pursue policy, systems, and environmental supports for walking and walkability. (Resolution 20-38)
- Lees explained the Commission will serve as fiscal agent for the project team, producing and distributing travel expense reimbursement checks to individual team members in the amount of $1,292.75. (Resolution 20-40)
e. Illinois River Issues Report
- Beneficial Use of Dredged Materials
Lees explained of 2 dredge material projects
- IDNR Asian Carp fishing program
Lees explained there is a need for a cooler to preserve carp. They have a couple investors to move forward on purchasing a cooler along the Illinois River.
  - Miller added that the City of East Peoria is stepping up to make this work.
- Corn Belt Port Statistical Area
Lees explained that Rock Island Corp of Engineers wants a portion of the Mississippi and Illinois River to be recognized as Ports.

10. Transportation
a. PPUATS Report
Bruner explained that TCRPC is helping Village of Hanna City to apply for IDNR recreational Trails Program grant. The Hanna City Trail is a 24.7-mile-long corridor along inactive Union Pacific railroad. It runs from Kickapoo Creek in Peoria County to about 5 miles west of Farmington in Fulton County. Hanna City hired a consultant to complete an appraisal of the corridor. The appraisal showed an aggregated value of $1,862,000. Union Pacific Railroad Real Estate Manager completed an internal review which resulted in a recommended sale price of $2,300,000. To determine the request for this grant, based on recommendations from the Village of Hanna City and IDNR staff, Tri County used an average of the two and came up with $2,081,000. The State request is $1,664,800 and a local match of $416,200.
b. Discussion of State Planning & Research Announcement
c. Discussion of UPWP Development and Planning Projects
Harms updated on b&c.
  - There are 2 calls for projects, Surface Transportation and Resurfacing Projects
  - April 10th is when 23/24 STBG funds is due
  - SPR funding of Planning projects and IDOT Multi jurisdiction projects
  - PL preliminary is to IDOT for review
11. GIS
12. Executive Session
13. Any action coming out of Executive Session
14. Other
   Miller updated that we have more PL funds, so we are going to hire and additional Planner I
15. Adjournment
   Adjourned at 6:30 pm
   Submitted by:
   Eric Miller
   Executive Director
   Recorded and transcribed by Debbie Ulrich

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<th>March 2020 MEETING SCHEDULE</th>
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EXECUTIVE BOARD MEETING
TIM NEUHAUSER, CHAIRMAN – EXECUTIVE BOARD
(Hinrichsen, Smith, Sundell, Crawford, Phelan, Kingdon, Rosenbohm, and Bender
Thursday, March 26, 2020
5:30 p.m.

Minutes

1. Call to Order
   Chairman Neuhauser called the meeting to order at 5:30 pm

2. Roll Call

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Staff: Miller, Lees, Bruner, and Harms Via phone: Stratton

3. Public Input—none

4. Motion to approve January 20, 2020 and February 27, 2020 minutes
   Sundell moved to approve January 20, 2020 and February 27, 2020 minutes and Rosenbohm seconded. Motion carried.
5. Executive Director report
Miller reported on the following:
- Conference calling:
  - PPUATS Technical meeting will be virtual call in meeting
  - Having staff check in meetings
  - Contacted IDOT – got approval to work from home
- Fishing program with IDNR update
  Neuhauser contended staff for working from home

6. Ways & Means Report
   a. Motion to approve February Financial Statements and Billings (Resolution 20-41)
      Sundell moved to approve the February Financial Statements and Billings (Resolution 20-41) and Rosenbohm seconded. Motion carried.
      Stratton reviewed the following:
       - Total Cash at end of month was $892,663 which is down from last month by $12k
       - Accounts receivable at end of month was $367,171 which is up by $121k over January. We got a bill for Digital Ortho Photo project at month end for $125k so if we take that out of the equation, the variance in AR is small.
       - Accounts Payable at end of month was $277,233 which is $136k higher than end of January. All but about $3k is direct pass-thru money for contract services and consultants so the variance there is small as well.
       - Total billings for February were $251.7k less direct pass-throughs of $180.6k = operating revenue of $7.1k for 19 working days
       - Total Expenses for February were $253.3k less direct pass-throughs of $180.6k – operating expenses of $72.7k – well within our expected variance.
       - February $1,604 negative
       - YTD $22,509 positive.
   b. Motion to approve credit card with Morton Community Bank (Resolution 20-44)
      Hinrichsen moved to approve credit card with Morton Community Bank (Resolution 20-44) and Smith seconded. Motion carried.
       - Miller explained the process.
       - IDOT said that financials will keep flowing. Are in process of setting up process to review and payment billings.

7. Personnel
   a. Motion to approve Employee Promotions in Place (Resolution 20-42)
      Smith moved to approve Employee Promotions in Place (Resolution 20-42) Sundell seconded. Motion carried.
      Miller said that Britney West is a good employee. She is on her 2nd year at TCRPC and he is asking for promotion in place and raise. She will now be GIS Specialist II with an annual increase of $1,938. The FY2020 budget accounts for the sum of increase for staff positions.

8. Other
   - Hinrichsen mentioned that GPEDC is a great source on COVID-19 situation
   - Miller mentioned the extension of the Census contract of $150,000
• Phelan spoke of a resolution for additional power to Commission Chairman if we cannot have a meeting. Neuhauser said he will stay in touch with meeting updates.

9. Adjournment
   Adjourned at 6:00 pm

Submitted by:
Eric Miller
Executive Director
Recorded and subscribed by Debbie Ulrich

Call in Information:

Phone number
1-646-749-3122

Access Code
979-074-797

Please join our meeting from your computer, tablet, or smartphone:
https://global.gotomeeting.com/install/979074797
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: June 23, 2020

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:

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Keith Miller
DEPARTMENT: Planning & Zoning
DATE: 6/5/2020

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Unsafe Structures</td>
<td>Cover Memo</td>
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</table>
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.

MOONEY, Michael - N White Grove Rd - Princeville Twp - Sec. 06 - (02-06-400-012) - Complaint #2017-125 (closed) - Garage roof is collapsing. The Hearing Officer has issued her final judgement. 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. Waiting for court order for demolition.

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. Waiting for court order for demolition.

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.

JOHNSON, Barbara (New owner Jeffery Harris) – 1617 S Crest Dr – Limestone Twp – Section 13 – (17-13-377-012) – Complaint #2017-175 – The house and attached garage roof is deteriorated and sagging. The garage door header supporting the roof is failing. 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.

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.

DAVIS, Gerald – 14112 W Route 150 – Jubilee Twp – Sec. 33 – (07-33-200-011) – Complaint # 2019-053 – The house roof is collapsing. This case has been continued to the September 2, 2020 Hearing Officer meeting.

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 has been continued to the September 2, 2020 Hearing Officer meeting.

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 is closed (prior #2014-195) – The house roof is sagging significantly, the foundation is failing, and the deck is unsafe. A 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. Permits were issued for repairing the house but will remain on the list until the unsafe structure has been repaired.

FOGLIANO, Antonio – 12133 N Riverview Rd – Medina Twp – Sec. 23 – (09-23-252-005) – Complaint # 2019-164 – Detached garage roof has holes and is collapsing. The Hearing Officer has issued her final order.

DURHAM, Ronald – 713 N Cherry Ln – Limestone Twp– Sec. 03 – (17-03-377-026) – Complaint #2019-333 & 2020-022 – House has failing walls and roofs due to significant deterioration and tree damage, there is not any foundation, and the house is not safe. The detached garage has collapsing walls and roof. The cases will be reinspected after the compliance dates and scheduled for a Hearing Officer meeting if not in compliance.

HARPER, Elbert – 2305 S Skyway Rd – Limestone Twp – Sec. 23 – (17-23-152-012) – Complaint # 2019-305 – The house has holes and is sagging. The Hearing Officer has issued her final order.

PLATTNER, Amy – 9511 W Goetz Rd – Kickapoo Twp – Sec. 31 – (13-31-251-013) – Complaint #2020-039 – The detached garage has collapsed. This case will be reinspected after the compliance date and scheduled for a Hearing Officer meeting if not in compliance. A demo permit has been issued but will remain on the list until the unsafe structure has been removed.

CAMPBELL, Russell – 208 N Murphy Rd – Logan Twp – Sec. 11 – (16-11-251-001) – Complaint # 2020-090 – The house has a large collapsing front porch. The case will be reinspected after the compliance date and scheduled for a Hearing Officer meeting if not in compliance.
PROPERTIES IN COMPLIANCE FOR THE PAST FIVE YEARS

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 #2014-054 - 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 #2015-101and 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 # 13-562 - 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.

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.
Compliance Year - 2017

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.

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.

**Compliance Year – 2019**

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.

STEVENSON, Linda – 937 N Range Ln – Limestone Twp – Sec. 03 – (17-03-426-005) – Complaint #2018-061 – House interior was badly damaged by fire. The house has been demolished by the new owner.

GARNAND, James – 818 N Limestone Ln – Limestone Twp – Sec. 02 – (17-02-377-009) – Complaint #2018-258 – The fire damaged parts of the house have been repaired by the owner and are safe.

SNYDER, Anne – 7630 W Fernhill Ct – Kickapoo Twp – Sec. 04 – (13-04-301-027) – Complaint # 2019-183 – The fire damaged house was demolished by the owner.

BELLINGER, Andrew - 525 S Kickapoo Creek Rd - Limestone Twp - Section 12 - (17-12-352-006) - Complaint #2016-206 - The house was burned substantially and was unsafe. This case was sent to the SAO for a demolition order, the demolition permit was issued to Jimax Demolition, and the demolition has been completed.

COOPER, Deqarius – 3204 N Augustana Ave – Limestone Twp – Sec. 13 – (17-13-479-009) – Complaint #2017-159 – The house had 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 was sent to the SAO for a demolition order. A demolition permit was issued to Schaefer & Son Excavating and the demolition was completed.
Compliance Year – 2020

MEADOWS, Cherryle – 1708 S West Ln – Limestone Twp – Sec. 13 – (17-13-456-003) – Complaint # 2019-242 – House roof had holes and was collapsing, and the foundation was failing. The owner hired River City Demolition to demolish the house.

JANSZEN, Carol – 7014 W Lancaster Rd – Limestone Twp – Section 33 – (17-33-252-003) – Complaint #2018-004 – A detached garage was collapsing, and a shed had collapsed. The owner hired River City Demolition to demolish the accessory structures.

ADKINS, James – 4827 W Farmington Rd – Limestone Twp - Sec. 02 - (17-02-405-001) - Complaint #2018-027 - Commercial building had a collapsing porch roof, failing foundation, and collapsing stairs. This case has been closed and the unsafe parts have been removed or repaired.

JENNINGS, Codee - 2029 W Blackberry Ln – Medina Twp – Sec. 31 - (09-31-227-012) - Complaint # 2020-023 – The house was badly fire damaged and the remaining structure was unsafe. This house was demolished by the owner.
AGENDA BRIEFING

COMMITTEE: Land Use Committee
MEETING DATE: June 23, 2020

LINE ITEM: Revenue:
            Expenditure:

ISSUE: May 2020 Development Summary

BACKGROUND/DISCUSSION:

COUNTY BOARD GOALS:

EFFECTIVE SERVICE DELIVERY

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: 6/1/2020

ATTACHMENTS:

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### NON-RESIDENTIAL CONSTRUCTION

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**TOTAL VALUE NON-RESIDENTIAL CONSTRUCTION THIS PERIOD**

$1,052,255.00

### RESIDENTIAL NEW CONSTRUCTION

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**TOTAL VALUE RESIDENTIAL NEW CONSTRUCTION THIS PERIOD**

$506,250.00

### ALL OTHER PERMITS

**TOTAL NUMBER OF ALL OTHER PERMITS THIS PERIOD**

28

**TOTAL VALUE ALL OTHER PERMITS THIS PERIOD**

$310,667.25
ISSUE:
Case #022-20-S, A Text Amendment to amend Chapter 20:
Article 2, Section 2.2.6 Hearing Procedures;
Article 3, Section 3.5 Special Use Permits;
Article 7, Section 7.18 Cannabis Business Establishments; and
Article 11, Section 11.1 Definitions of the Peoria County Code.

BACKGROUND/DISCUSSION:
Article 2, Section 2.2.6 Hearing Procedures:
The proposed amendment to Section 20-2.2.6 allows for the frequency of Zoning Board of Appeals hearings to be
determined at the discretion of the Zoning Board of Appeals, rather than established at the beginning of each year. This
allows for more flexibility with scheduling of cases, as needed due to budget cuts.

Article 3, Section 3.5 Special Use Permits:
The proposed amendment to Section 20-3.5.3.3.g requires for the applicant of a Special Use request to submit a signed
statement certifying that the applicant is responsible for all additional costs incurred by the County as a result of the Special
Use and any subsequent appeals. This eliminates any financial burden to the County as a result of costs incurred through
an applicant’s zoning request.

Article 7, Section 7.18 Cannabis Business Establishments:
In December 2019, Peoria County adopted regulations for Cannabis Business Establishments under Zoning Case 2019-056-
S. On December 4, 2019, Public Act 101-0593 was made effective, which provided for clean-up language on previously
passed recreational cannabis legislation under the Cannabis Regulation and Tax Act.

The proposed amendment to Section 20-7.18.3.5 requires that applicants must notify Peoria County within 10 business days
of making application for any type of Cannabis Business Establishment to the State of Illinois for a proposed location within
Peoria County’s jurisdiction. This will allow for verification by the County that the proposed location follows currently
enacted zoning regulations.

The proposed amendment to Section 20-7.18.3.6 strengthens Peoria County’s prohibition of on-site consumption or use of
cannabis by adding a retail tobacco store to the list of prohibited locations. This amendment is proposed based on the State
of Illinois adding retail tobacco stores to the list of locations that may be authorized by a unit of local government for on-
premises consumption or use of cannabis.

Article 11, Section 11.1 Definitions:
The proposed amendments to Section 11.1 amend definitions within the Peoria County Unified Development Ordinance to
be consistent with the language adopted by the State of Illinois.

COUNTY BOARD GOALS:

STAFF RECOMMENDATION: Approval
ZBA RECOMMENDATION: Approval (4-0)

COMMITTEE ACTION:
PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: June 12, 2020
2.2.6 Hearing Procedures.

2. Hearings.

a. All meetings of the board of appeals shall be held at the call of the chairman and at such times and places within the county as the board may determine. Regular meetings of the ZBA shall be held monthly at a minimum, at such dates and times that the ZBA determines. The ZBA meeting schedule shall be published during January of each year in a newspaper of general circulation within the County and shall be posted in the office of the Zoning Administrator.

20-3.5.3.3.g.5

Applicants must provide a signed statement with their special use application certifying that the applicant is responsible for the costs & fees associated with their Special Use Application, including, but not limited to, attorneys fees, engineer studies, costs of expert retention, costs associated with any appeal, and any and all costs incurred by the County as a result of the applicants request or appeal.

20-7.18.3.5

a. When an application for any type of Cannabis Business Establishment has been submitted to the State of Illinois for a proposed location within Peoria County’s jurisdiction, the applicant shall notify the Department of Planning & Zoning within 10 business days.

b. Applicants seeking to open an Adult-Use or Medical Cannabis Business Establishment shall provide the County with proof of State licensing approval prior to the issuance of a building permit by the County. Persons operating an Adult-Use or Medical Cannabis Business Establishment shall annually provide to the County all State inspection reports and other information necessary to verify ongoing compliance with State and County requirements. Applicants shall, after commencing operations, provide to the County, within seven (7) days of receipt, copies of any notices, citations or other enforcement actions undertaken against the facility by the State, along with an explanation as to what steps are being taken by the Applicant to bring the facility back into compliance.

20-7.18.3.6. On-site consumption or Use Prohibited

Consumption or use of cannabis is prohibited within Adult-Use or Medical Cannabis Dispensing Organizations, within a retail tobacco store, and within the parking areas or other public areas of Adult-Use or Medical Cannabis Dispensing Organizations. Dispensing Organizations are required to prominently display signs regarding this prohibition near the exit door or doors of the facility.

20-11.1 Definitions

**Adult-Use Cannabis Transporting Organization, or Transporter:** An organization or business that is licensed by the Illinois Department of Agriculture to transport cannabis or cannabis-infused product on behalf of a cannabis business establishment or a community college licensed under the Community College Cannabis Vocational Training Pilot Program, per the Cannabis Regulation and Tax Act, (P.A. 101-0027), as it may be amended from time-to-time, and regulations promulgated thereunder.
**Cannabis concentrate**: A product derived from cannabis that is produced by extracting cannabinoids, including tetrahydrocannabinol (THC), from the plant through the use of propylene glycol, glycerin, butter, olive oil or other typical cooking fats; water, ice, or dry ice; or butane, propane, CO2, ethanol, or isopropanol and with the intended use of smoking or making a cannabis-infused product. The use of any other solvent is expressly prohibited unless and until it is approved by the Illinois Department of Agriculture.

**Cannabis-infused product**: A beverage, food, oil, ointment, tincture, topical formulation, or another product containing cannabis or cannabis concentrate that is not intended to be smoked.
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, June 11, 2020, in Room 403 of the Peoria County Courthouse, 324 Main Street, Peoria, Illinois. The meeting was called to order by acting Chairperson Linda O’Brien at 10:00 a.m.

PRESENT: Linda O’Brien, Greg Happ, Greg Fletcher, Andrew Keyt

ABSENT: Loren Bailliez, Leonard Unes, Jim Bateman, John Harms, Justin Brown

STAFF: Kathi Urban – Director
Andrew Braun – Assistant Director
Corbin Bogle – Planner I
Taylor Armbruster – Planner I
Jennie Cordis Boswell – Civil Assistant State’s Attorney
Ellen Hanks - ZBA Administrative Assistant

Case No. 022-20-S at 10:00 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 2, Section 2.2 (“Zoning Board of Appeals”), Article 3, Section 3.5 (“Special Use Permits”), Article 7, Section 7.18 (“Cannabis Business Establishments”), and Article 11, Section 11.1 (“Definitions”) 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;
   - Public Act 101-0593 provides for clean up language on previously passed Recreational Cannabis legislation under the Cannabis Regulation and Tax Act. The proposed amendment makes those same amendments to the Peoria County Unified Development Ordinance.
   - The proposed amendment to Section 20-3.5.3.3.g.5 requires for the applicant of a Special Use request to submit a signed statement certifying that the applicant is responsible for all additional costs incurred by the county as a result of the Special Use and any subsequent appeals. This eliminates any financial burden to the county as a result of costs incurred through an applicant’s zoning request.
   - The proposed amendment the Section 20-2.2 allows for the frequency of Zoning Board of Appeals hearing to be determined at the discretion of the Zoning Board of Appeals rather than established at the beginning of each year. This reduction is necessary as a result of changing conditions due to COVID-19.

2. The proposed amendment is consistent with the purpose and intent of this ordinance;
   - The proposed amendments to Section 20-7.18 are consistent with meeting the compliance standards established by the State of Illinois related to Adult Use Recreational Cannabis.
• The proposed amendments to Section 20-3.5.3.3.g.5 and Section 20-2.2 are consistent with meeting the purpose and intent of this ordinance in which it is the intent of the County Board that the development process in the county be efficient in terms of time and expense, effective in terms of addressing the natural resource and public facility implications of proposed development, and equitable in terms of consistency with the established regulations and procedures, respect for the rights of property owners, and consideration of interest of the citizens of the county.

3. The proposed amendment will not adversely affect health, safety, morals, and general welfare of the public;
• The proposed amendments to Section 20-7.18 will not adversely affect health, safety, morals or general welfare of the public. It is intended to strengthen and clarify existing language related to the sale and consumption of adult use recreational cannabis.

4. The proposed amendment is required because of a change in State or Federal law;
• Public Act 101-0593 provides for clean up language on previously passed recreational cannabis legislation under the Cannabis Regulation Tax Act. Public Act 101-0593 had an effective date of December 4, 2019. Under zoning case 2019-056-S, the Peoria County Board adopted the Adult Use Cannabis regulations on December 12, 2019. However, in order for adoption on December 12, 2019, it had been filed subsequent to the October 2019 hearing, which would have not allowed for the content of the cleanup language to be included in the county’s text amendment.

A motion to approve the Findings of Fact was made by Mr. Fletcher and seconded by Mr. Keyt. affirmative votes; (4-0) A motion to approve the Text Amendment with the addition of the word “by” as pointed out by Mr. Keyt in discussion was made by Mr. Happ and seconded by Mr. Keyt. A vote was taken and the motion was approved; (4-0)

Meeting adjourned 11:05 a.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 Chapter 20, Article 2, Section 2.2.6 ("Hearing Procedures"), Chapter 20, Article 3, Section 3.5 ("Special Use Permits"), Article 7, Section 7.18 ("Cannabis Business Establishments"), and Article 11, Section 11.1 ("Definitions"); and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, amends hearing procedures for the Zoning Board of Appeals to allow flexibility in scheduling, while still being consistent with State Statute; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, amends Special Use submittal guidelines to ensure the applicant is responsible for all costs associated with the applicants request or appeal; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, amends zoning regulations for Cannabis Business Establishments consistent with the amendments to the Cannabis Regulation and Tax Act under Illinois Public Act 101-0593; and

WHEREAS, the proposed amended ordinance, attached hereto and incorporated herein, amends definitions to be consistent with the amendments to the Cannabis Regulation and Tax Act under Illinois Public Act 101-0593; and

WHEREAS, your Committee met on June 23, 2020 and voted to approve the attached amendments to Chapter 20.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County that this 9th day of July, 2020, 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  
**MEETING DATE:** June 23, 2020  
**LINE ITEM:** N/A  
**AMOUNT:** N/A

**ISSUE:** ZBA Case #018-20-U. A Special Use as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25-acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner proposes to divide an existing 23.06 acre parcel into 3 parcels of approximately 13.6 acres, 8.7 acres, and 1 acre.

**BACKGROUND/DISCUSSION:** This case is in District #16, which is County Board member Matt Windish's district. The petitioner, Debra S. Silzer, requests a special use in order to divide a 23.06-acre parcel into three separate tracts of approximately 13.67 acres, 8.75 acres, and 1.08 acres. The parcel is located at 15023 W. Southport Rd., a state highway, in the SW ¼ of Section 9 and the NW ¼ of Section 16 in Rosefield Township. There are 0 consents and 0 objections on file. The petitioner has concurrently filed subdivision waiver #W04-20 to waive the requirement of access to a public water supply for a new minor subdivision. The subject parcel consists of three single-family dwellings and agricultural fields. The property and all adjacent parcels are zoned “A-2” Agriculture except one parcel to the southwest of the property that is zoned “A-1” Agricultural Preservation. N. Eden Rd. serves as access to all three dwellings on the parcel. Surrounding land uses include agriculture to the north and residential and agriculture to the south, east, and west. There are approximately seven parcels consisting of less than two acres within a half-mile of the subject parcel. Within one mile to the east of the subject parcel along W. Southport Rd., there are also several large clusters of properties zoned “R-R” Rural Residential, which allows for a minimum lot size of one acre. The petitioner proposes to divide a 23.06-acre tract into three separate tracts of 13.67 acres, 8.75 acres, and 1.08 acres. There are currently three existing dwellings on the parcel, and, following the split, each dwelling will be located on its own parcel. No cropland will be taken out of production as a result of the split. The request is consistent with the residential and agricultural land use and character of the surrounding area. The overall LESA score was 217.4 out of 300, which is a medium rating for agricultural protection. According to the petition, each existing dwelling is served by its own private well and private septic. At the time of writing this report, there is no comment from the Peoria City/County Health Department. The subject parcel has frontage along W. Southport Rd., a state highway, and the parcel can also be accessed by N. Eden Rd., a township collector road. According to the 2017 IDOT traffic map, there are approximately 1,750 vehicle trips in a 24-hour period along W. Southport Rd. The 2017 IDOT traffic map does not show the number of vehicle trips for this portion of N. Eden Rd. The proposed 1.08-acre parcel will be accessed by an existing access point off W. Southport Rd. while the 13.67-acre tract and 8.75-acre tract will be accessed by existing access points off N. Eden Rd. No new access points are proposed at this time. The County Highway Department will defer to the Illinois Department of Transportation, as Southport Road (Illinois State Route 8) is maintained by the State. For access off N. Eden Road, the County will defer to the Rosefield Township Road Commissioner, as this section of Eden Road is maintained by the road district. At the time of this report, there is no comment from the Rosefield Township Road Commissioner. The Peoria County Future Land Use Form Map designates this area as Agriculture. The request is consistent with the Peoria County Comprehensive Land Use Plan Smart Growth Principle of locating new residential growth in areas with or adjacent to existing development. The three dwellings are existing, and a number of residential dwellings are also located along this section of W. Southport Rd. The request is also consistent with the Peoria County Rural Areas Growth Strategy of preserving the character of the “A-2” district by supporting small scale farming uses and permitting low density residential living. The proposed land split will not disrupt farming operations on adjacent sites.

**COUNTY BOARD GOALS:**

**STAFF RECOMMENDATION:** Approval with the following restriction:

1. Parcels created by the approval of this Special Use may not be divided again, even if subsequently combined with other parcels, unless a rezoning is granted by the County Board or unless each lot to be created meets the 25-acre minimum lot size of the “A-2” Zoning District.

**ZBA RECOMMENDATION:** Approval with restriction (4-0)

**COMMITTEE ACTION:**

**PREPARED BY:** Taylor Armbruster, Planner I

**DEPARTMENT:** Planning & Zoning

**DATE:** June 11, 2020
REPORT TO THE ZONING BOARD OF APPEALS FOR THE JUNE 11, 2020 PUBLIC HEARING

DATE: June 3, 2020

CASE/PETITIONER: 018-20-U Debra S. Silzer / 6622 N. Eden Rd., Brimfield, IL 61517 (owner, Doris J. Fenwick, 15023 W. Southport Rd., Brimfield, IL 61517)

REQUEST: A Special Use as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25-acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner proposes to divide an existing 23.06 parcel into 3 parcels of approximately 13.6 acres, 8.7 acres, and 1 acre.

LOCATION: SW ¼, Section 9, and NW ¼, Section 16, Rosefield Township
15023 W. Southport Rd., Brimfield, IL 61517 / Parcel ID# 12-16-100-025

LAND USE FORM: Agriculture

CURRENT ZONING: “A-2” Agriculture

PRESENT USE: Residential/Agriculture

SIZE OF SITE: 23.06 acres

SURROUNDING ZONING: North, South, and East: “A-2” Agriculture

SURROUNDING LAND USES: North: Agriculture
South, East, and West: Agriculture/Residential

PUBLIC SERVICES: Fire: Brimfield Fire District Water: Private Well
Schools: Elmwood CUSD #322 Sewer: Private Septic

TRANSPORTATION: W. Southport Rd., State Highway; N. Eden Rd., Township Collector Road

PERTINENT ZONING CASES ON SITE: Water Waiver #W04-20

PERTINENT ZONING CASES IN SURROUNDING AREA: Special Use Case #031-03-U

PLANNING AND ZONING DEPARTMENT RECOMMENDATION: APPROVAL WITH RESTRICTION
CASE ANALYSIS

REQUEST AND LOCATION: The petitioner, Debra S. Silzer, requests a special use in order to divide a 23.06-acre parcel into three separate tracts of approximately 13.67 acres, 8.75 acres, and 1.08 acres. The existing parcel consists of agricultural fields and three homesites. The petitioner intends to create the approximately 1.08-acre tract in order to sell an existing dwelling along with an existing shed. This dwelling, 15023 W. Southport Rd., is the southernmost dwelling on the subject parcel, and the proposed 1.08-acre parcel has existing frontage along W. Southport Rd. The proposed 8.75-acre tract will contain the existing dwelling at 6606 N. Eden Rd. along with an agricultural field, and this tract will be owned by the petitioner’s sister. The proposed 13.67-acre tract will contain the dwelling at 6622 N. Eden Rd. along with an existing detached garage and grain bin, and this parcel will be owned by the petitioner. According to the petitioner, the grain bin will be demolished prior to the hearing of the case. The subject parcel is located at 15023 W. Southport Rd. in the Southwest Quarter of Section 9 and the Northwest Quarter of Section 16 in Rosefield Township.

PERTINENT ZONING CASES ONSITE: Waiver #W04-20 is a waiver request from Section 20-8.3.4.1.b.2.b of the Unified Development Ordinance (UDO). This section requires that if a public water supply does not exist within a reasonable distance of a newly created subdivision, the developer must obtain a waiver from the County Board in accordance with subsection 8.3.4.1.d. The subject parcel does not have access to public water, and a public water supply is not within reasonable distance. Each existing homesite on the subject parcel has access to its own private well and private septic, and the proposed division of the parcel will not change this. This waiver is scheduled to be heard by the Land Use Committee on June 23, 2020 and the Peoria County Board on July 9, 2020.

PERTINENT ZONING CASES IN SURROUNDING AREA: Special use case #031-03-U was a request to divide a 25.177-acre parcel into 5 tracts of approximately 5 acres each. This case resulted in the creation of parcels 12-09-400-017, 12-09-400-018, 12-09-400-019, 12-09-400-020, and 12-09-400-021. These parcels are located approximately 0.8 miles from the subject parcel and are also zoned "A-2" Agriculture. On June 12, 2003, the Peoria County Board approved the request with the restriction “Parcels created by the approval of this special use may not be divided again, even if subsequently combined with other parcels, unless a rezoning is granted by the County Board.”

SURROUNDING ZONING AND LAND USE: The subject parcel consists of three single-family dwellings and agricultural fields. The property and all adjacent parcels are zoned “A-2” Agriculture except one parcel to the southwest of the property that is zoned "A-1" Agricultural Preservation. N. Eden Rd. serves as access to all three dwellings on the parcel. To the north, the land is used for agriculture while to the south, east, and west, land uses are agriculture and residential. There are approximately seven parcels consisting of less than two acres within a half-mile of the subject parcel. Within one mile to the east of the subject parcel along W. Southport Rd., there are also several large clusters of properties zoned “R-R” Rural Residential, which allows for a minimum lot size of one acre. The petitioner proposes to divide a 23.06-acre tract into three separate tracts of 13.67 acres, 8.75 acres, and 1.08 acres. There are currently three existing dwellings on the parcel, and, following the split, each dwelling will be located on its own parcel. No cropland will be taken out of production as a result of the split. The request is consistent with the residential and agricultural land use and character of the surrounding area.

TECHNICAL ADEQUACY: Section 20-5.2.2.1.a.1 of the Peoria County Unified Development Ordinance allows for a special use when a proposed land split does not meet the 25-acre minimum lot size in the “A-2” Agricultural Zoning District. The petitioner proposes to divide a 23.06-acre parcel into three separate tracts of approximately 13.67 acres, 8.75 acres, and 1.08 acres. The approximately 1.08-acre tract will be sold while the remaining area of the subject parcel will be divided into the approximately 13.67-acre tract for the petitioner and the approximately 8.75-acre tract for the petitioner's sister. Additionally, Section 20-6.1.3 of the Unified Development Ordinance requires that excepting communication support structures, no more than one principal building shall be located on a lot, except as approved as a special use or temporary use. The petitioner’s request will bring the subject parcel
into compliance with the Unified Development Ordinance by creating a separate parcel for each existing dwelling. A LESA was conducted on the parcel. The site scored 83.7 out of 100 for agland evaluation and 133.7 out of 200 for the site assessment component. The overall LESA score was 217.4 out of 300, which is a medium rating for agricultural protection.

**Environmental Impacts:** According to the petition, each existing dwelling is served by its own private well and private septic. At the time of writing this report, there is no comment from the Health Department.

**Transportation Impacts:** The subject parcel has frontage along on W. Southport Rd., a state highway, and the parcel can also be accessed by N. Eden Rd., a township collector road. According to the 2017 IDOT traffic map, there are approximately 1,750 vehicle trips in a 24-hour period along this portion of W. Southport Rd. The 2017 IDOT traffic map does not show the number of vehicle trips for this portion of N. Eden Rd. The proposed 1.08-acre parcel will be accessed by an existing access point off W. Southport Rd. while the 13.67-acre tract and 8.75-acre tract will be accessed by existing access points off N. Eden Rd. No new access points are proposed at this time. As the residential use of the parcel will not change, the proposed division of the parcel into three separate tracts should have little to no impact on current traffic patterns. The County Highway Department will defer to the Illinois Department of Transportation, as Southport Road (Illinois State Route 8) is maintained by the State. For access off N. Eden Road, the County will defer to the Rosefield Township Road Commissioner, as this section of Eden Road is maintained by the road district.

**Land Use Form:** The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Agriculture. The land uses allowed in the Agriculture Land Use Form include Agriculture and Open Space. The Peoria County Comprehensive Land Use Plan indicates that the Agriculture Land Use Form is largely agricultural and is distinguished from the Agriculture Preservation Land Use Form by allowing more varied uses on lower-productivity farmland that may have more timber or other topographical features. Non-agricultural development should be restricted to the lowest producing agricultural land. The petition indicates that no farmland will be taken out of production following the proposed split. Rather, the purpose of the proposed split is to create separate parcels for three existing dwellings. Land uses on the subject parcel will not change as a result of the proposed split, as these residential uses are already present on the property. The request is consistent with the Peoria County Comprehensive Land Use Plan Smart Growth Principle of locating new residential growth in areas with or adjacent to existing development. The three dwellings are existing, and a number of residential dwellings are also located along this section of W. Southport Rd. The request is also consistent with the Peoria County Rural Areas Growth Strategy of preserving the character of the “A-2” district by supporting small scale farming uses and permitting low density residential living. The proposed land split will not disrupt farming operations on adjacent sites.

**Conclusions**

**Consistency with Adopted County Plan:** The request is consistent with the Peoria County Future Land Use Form map which designates this area as Agriculture. Agriculture and Open Space are the allowed uses in the Agriculture land use form. The subject parcel received a medium rating for agricultural protection. No cropland will be taken out of production. The proposal will allow the petitioner to divide a 23.06-acre parcel into three tracts of approximately 13.67 acres, 8.75 acres, and 1.08 acres in order to create separate parcels for three existing homesites.

**Consistency with Community Character:** The area surrounding the subject parcel consists of farmland and residential uses. The subject parcel consists of three existing homesites and agricultural fields. The parcel earned a LESA score of 217.4 out of 300, which is a medium rating for agricultural protection. There are approximately seven parcels consisting of less than two acres within a half-mile of the subject parcel. The request is consistent with the residential and agricultural character of the surrounding area.
**MINIMIZING ADVERSE EFFECTS:** The division of the subject 23.06-acre tract into approximately 13.67 acres, 8.75 acres, and 1.08 acres should not adversely affect surrounding uses, as the parcel will be divided among three existing homesites. The proposed use should not create excess noise or negative visual effects. Any change to the transportation system should be minimal. The petitioner intends to utilize existing access points off W. Southport Rd. and N. Eden Rd. in order to access the existing dwellings. There are no new access points proposed off W. Southport Rd. nor N. Eden Rd.

**PRESENCE OF NATURAL/HISTORICAL RESOURCES:** The request does not impact known natural or historical resources.

**COMPLIANCE WITH ADDITIONAL STANDARDS:** The proposed use will comply with additional standards for the creation of lots in the “A-2” Agricultural Zoning District as specified in the Unified Development Ordinance. If this special use request is granted, the proposed use will be compliant with the use standards of the Unified Development Ordinance. The applicant will be responsible for obtaining all required permits from the Peoria City/County Health Department and Peoria County Planning & Zoning Department.
RECOMMENDATION

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

1. Parcels created by the approval of this Special Use may not be divided again, even if subsequently combined with other parcels, unless a rezoning is granted by the County Board or unless each lot to be created meets the 25 acre minimum lot size of the "A-2" zoning District.

Respectfully submitted,

Taylor Armbruster            Kathi Urban
Planner I                     Director
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, June 11, 2020, in Room 403 of the Peoria County Courthouse, 324 Main Street, Peoria, Illinois. The meeting was called to order by acting Chairperson Linda O’Brien at 9:00 a.m.

PRESENT: Linda O’Brien, Greg Happ, Greg Fletcher, Andrew Keyt

ABSENT: Loren Bailliez, Leonard Unes, Jim Bateman, John Harms, Justin Brown

STAFF: Kathi Urban – Director
Andrew Braun – Assistant Director
Corbin Bogle – Planner I
Taylor Armbruster – Planner I
Jennie Cordis Boswell – Civil Assistant State’s Attorney
Ellen Hanks - ZBA Administrative Assistant

Case No. 018-20-U at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of DEBRA S. SILZER, acting on behalf of DORIS J. FENWICK (owner), a SPECIAL USE as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25 acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The petitioner proposes to divide an existing 23.06 parcel into 3 parcels of approximately 13.6 acres, 8.7 acres, and 1 acre.

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;
   • The request is consistent with the Peoria County Future Land Use Map, which designates this area as agriculture. The subject parcel received a medium rating for agricultural protection and no crop land will be taken out of production. The proposal will allow the petitioner to divide the 23.06 acre parcel into three tracts approximately 13.67 acres, 8.75 acres, and 1.08 acres in size in order to create three separate parcels for three existing home sites.

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:
   • The area surrounding the subject parcel consists of farmland and residential uses. The subject parcel will consist of three existing home sites and agricultural fields. The parcel earned a LESA score of 217.4 out of 300, which is a medium rating for agricultural protection. There are approximately seven parcels consisting of 2 acres within a half mile of the subject parcel.
The request is consistent with the residential and agricultural character of the surrounding area.

3. That the design 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 division of the subject 23.06 acre tract into approximately 13.67 acres, 8.75 acres, and 1.08 acres should not adversely affect surrounding uses as the parcel will be divided among three existing home sites. The proposed use should not create excess noise or negative visual effects. Any change to the transportation system should be minimal. The petitioner tends to utilize existing access points off W. Southport Rd. and N. Eden Road.

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 request does not impact known natural or historical resources.

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.
   • The proposed use will comply with additional standards for the creation of lots in the A-2 Agricultural Zoning District as specified in the Unified Development Ordinance. If this Special Use is granted, the proposed use will be compliant with the use standards of the Unified Development Ordinance. The applicant will be responsible for acquiring all applicable permits from the Peoria City/County Health Department and Peoria County Planning and Zoning Department.

A motion to approve the Findings of Fact was made by Mr. Fletcher and seconded by Mr. Keyt. Affirmative votes; (4-0). A motion to approve the Special Use with restriction was made by Mr. Fletcher and seconded by Mr. Keyt. A vote was taken, and the motion was approved; (4-0)

Meeting adjourned 11:05 a.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 Resolution:

RE: Approval of Special Use with restriction, Petition of Debra. S. Silzer.

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 when a proposed land split does not meet the 25-acre minimum lot size requirement in the A-2 Agricultural District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on June 11, 2020 in Case No. 018-20-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 June 11, 2020, and voted to recommend approval of the Special Use; a copy of the ZBA's findings of fact is attached; and

WHEREAS, your Committee met on June 23, 2020 to consider the ZBA's recommendation, and voted to approve the Special Use.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. 018-20-U is hereby approved with the following restriction:

1. Parcels created by the approval of this Special Use may not be divided again, even if subsequently combined with other parcels, unless a rezoning is granted by the County Board or unless each lot to be created meets the 25 acre minimum lot size of the “A-2” Zoning District.

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
AGENDA BRIEFING

COMMITTEE: Land Use         LINE ITEM: N/A  
MEETING DATE: June 23, 2020       AMOUNT: N/A

ISSUE: Subdivision Waiver Case W04-20

Petitioner(s): Debra Silzer
Waiver Requests: Section 20-8.3.4.1.b.2.a (Public Water Waiver)
Property Location: SW ¼ Sec. 9 & NW ¼ Sec. 16 in Rosefield Township (12-16-100-025)
15023 W Southport Rd. Brimfield, IL 61517
Zoning: “A-2” Agriculture
Land Use Form: Agriculture

BACKGROUND/DISCUSSION: This case is located in District #16, which is Matt Windish’s district. The petitioner, Debra Silver, seeks approval of a waiver from Section 20-8.3.4.1.b.2.a of the Unified Development Ordinance. This section requires a new minor subdivision to have public water supply.

The petitioner proposes to create a 3-lot subdivision with lots served by private well. The existing 23.06 parcel will be split into 3 parcels of approximately 13.6 acres, 8.7 acres, and 1 acre. The petitioner intends to create the approximately 1.08-acre tract in order to sell an existing dwelling along with an existing shed. This dwelling, 15023 W. Southport Rd., is the southernmost dwelling on the subject parcel, and the proposed 1.08-acre parcel has existing frontage along W. Southport Rd. The proposed 8.75-acre tract will contain the existing dwelling at 6606 N. Eden Rd. along with an agricultural field. The proposed 13.67-acre tract will contain the dwelling at 6622 N. Eden Rd. along with an existing detached garage and grain bin.

The petitioner has submitted well reports from a licensed well driller indicating recovery rates of 4.3 gallons per minute, 12.3 gallons per minute and 7.9 gallons per minute for the 3 existing wells. The closest public water supply is approximately 7 miles to the west (City of Elmwood). This request was filed concurrently with Special Use Case #2020-018-U to allow for a special use when a proposed land split does not meet the 25-acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The property is located in the SW ¼ of Section 9 and the NW ¼ of Section 16 in Rosefield Township (12-16-100-025).

At this time of this report, there was no comment Peoria City/County Health Department on the request for the water waiver.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITY

STAFF RECOMMENDATION: Approval

COMMITTEE ACTION: 

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: June 11, 2020

40
# PETITION FOR WAIVER FROM
## UNIFIED DEVELOPMENT ORDINANCE SUBDIVISION COMPLIANCE

<table>
<thead>
<tr>
<th>Applicant Name:</th>
<th>Debra S. Sizemore</th>
<th>Phone: (309) 690-9451</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address:</td>
<td>6629 Eden Rd.</td>
<td>Zip: 61517</td>
</tr>
<tr>
<td>City:</td>
<td>Brimfield, IL</td>
<td>State: IL</td>
</tr>
<tr>
<td>Owner's Name:</td>
<td>Doris J. Fenwick Estate</td>
<td>Phone: None</td>
</tr>
<tr>
<td>Address:</td>
<td>15023 W. Southport Rd.</td>
<td>Zip: 61517</td>
</tr>
<tr>
<td>City:</td>
<td>Brimfield, IL</td>
<td>State: IL</td>
</tr>
<tr>
<td>Parcel Address:</td>
<td>15023 W. Southport Rd.</td>
<td>Parcel Size: 23.51</td>
</tr>
<tr>
<td>Parcel ID #:</td>
<td>12161000025</td>
<td>Land Use Form Designation: Agriculture</td>
</tr>
<tr>
<td>Zoning:</td>
<td>R-2</td>
<td></td>
</tr>
</tbody>
</table>

- Tract Survey:  
- Subdivision:  
- Number of Lots to be created: 3
- Ordinance Section(s) to be Waived: Section 20-5.3.4.1.6.2.0.0

1. **Explanation of Request (include specific information):**
   - Each house to have its own tap - each house on a separate parcel

2. **What Hardship exists that prevents you from meeting the Ordinance’s minimum requirements?**
   - 10 public (city water) + on - 1.7 miles to Elmwood, IL

3. **What impact will the approval of your request have on the immediate area?**
   - Nothing

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:** Debra S. Sizemore  
**Date:** May 11, 2020

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## FOR OFFICE USE ONLY

<table>
<thead>
<tr>
<th>ATTACHMENTS:</th>
<th>Site Plan:</th>
<th>Receipt No.</th>
<th>Fee Paid:</th>
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</thead>
<tbody>
<tr>
<td>YES</td>
<td>✓</td>
<td>27839</td>
<td>200.00</td>
</tr>
<tr>
<td>NO</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

G:\SUBDIVISIONS\SUBDV. Forms\Waiver.2011.docx
Forney's Well Service
17005 W. Oak Hill Cemetery Rd
Brimfield, IL
309-446-3712

Septic # 049-007016
Well # 101-004851

Well Test

Debra S. Silzer
6622 N. Eden Rd
Brimfield, IL 61517

Flow Rate Test

well description 36" diameter dug well with cobble stones 1 to the surface
approx 25' deep
12' static level
shallow well jet pump

we installed our submersible test pump into this well
this pump produces 16 gpm
we pumped this well for 3 hours
was able to lower static level down to 21'

the recovery flow rate on this well at the time of test was 4.3 gpm

thanks
Troy
Forney's Well Service
17005 W. Oak Hill Cemetery Rd
Brimfield, IL.
309-446-3712

Septic #
049-007016

Well Test

Well #
101-004851

Sandra Crowe
6606 N. Eden Rd
Brimfield, IL. 61517

Flow Rate Test

well description
24" diameter concrete bored well to the surface
approx 41' deep
4' static level
deep well jet pump - captive air tank

we installed our sumersible test pump into this well
this pump produces 16 gpm
we pumped this well for 5 hours
was able to lower static level down to35'

the recovery flow rate on this well at the time of test was 12.3 gpm

thanks
Troy
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

Date: June 8, 2020  
To: Carey Panier  
From: Andrew Braun  
Re: June Unified Development Ordinance Waiver Request

INTEROFFICE MAIL

Enclosed please find the waiver request for the June 2020 Land Use Committee meeting.

W04-20:
The petitioner, Debra Silver, seeks approval of a waiver from Section 20-8.3.4.1.b.2.a of the Unified Development Ordinance. This section requires a new minor subdivision to have public water supply.

The petitioner proposes to create a 3-lot subdivision with each lot served by private well. The existing 23.06 parcel will be split into 3 parcels of approximately 13.6 acres, 8.7 acres, and 1 acre. The existing parcel consists of agricultural fields and three homesites. The petitioner intends to create the approximately 1.08-acre tract in order to sell an existing dwelling along with an existing shed. This dwelling, 15023 W. Southport Rd., is the southernmost dwelling on the subject parcel, and the proposed 1.08-acre parcel has existing frontage along W. Southport Rd. The proposed 8.75-acre tract will contain the existing dwelling at 6606 N. Eden Rd. along with an agricultural field, and this tract will be owned by the petitioner’s sister. The proposed 13.67-acre tract will contain the dwelling at 6622 N. Eden Rd. along with an existing detached garage and grain bin, and this parcel will be owned by the petitioner. According to the petitioner, the grain bin will be demolished prior to the hearing of the case. The petitioner has submitted a well report from a licensed well driller indicating for each of the existing wells, indicating recovery rates of 4.3 gallons per minute and 12.3 gallons per minute. The closest public water supply is approximately 7 miles to the west (City of Elmwood). This request was filed concurrently with Special Use Case #2020-018-U to allow for a special use when a proposed land split does not meet the 25-acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the A-2 Agricultural District. The property is located in the SW ¼ of Section 9 and the NW ¼ of Section 16 in Rosefield Township (12-16-100-025).

The Land Use Committee meeting is scheduled for Tuesday, June 23, 2020. I would greatly appreciate any comments regarding this waiver request no later than Friday, June 11, 2020, so that my report to the Land Use Committee includes your comments. If I do not receive any comments by the 11th, I will assume you have no comment, and as such will be reflected in my report.
June 11, 2020

Debra Silzer
6622 N. Eden Rd.
Brimfield, IL 61517

RE: June 23, 2020
Land Use Committee meeting

Dear Applicant,

For your information I have enclosed a copy of a report that pertains to your subdivision public water 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 will be held on Tuesday, June 23, 2020 at 4:00 p.m. in Room 402 in the Peoria County Courthouse. This case is scheduled to go to the County Board (Room 403) on July 9, 2020 at 6:00 p.m. for final approval.

The Governor’s current requirements for social distancing and restrictions on gatherings with 10 people or less may impact the ability for you to attend these hearings. Staff will follow up in advance of the schedule hearings to discuss participation methods.

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

Sincerely,

Andrew Braun
Assistant Director
Forney's Well Service
17005 W. Oak Hill Cemetery Rd
Brimfield, IL.
309-446-3712

Septic #
049-007016

Well #
2/27/2020
101-004851

Well Test

Doris J. Fenwick
15023 W. Southport Rd
Brimfield, IL. 61517

Flow Rate Test

well description
24" diameter concrete bored well to the surface
approx 50’ deep
5’ static level
submersible well pump - captive air tank

with original submersible pump - we pumped on this well for 6 hours
was able to lower static level down to 38’
we were pumping at a rate of 11 gpm

the recovery flow rate on this well at the time of test was 7.9 gpm
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 Debra Silzer for a subdivision of part of the SW ¼ of Section 9 and the NW ¼ of Section 16, Rosefield 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 20-8.3.4.1.b.2.a of the Unified Development Ordinance allows for modification of the regulations within the Ordinance; and

WHEREAS, this Committee has determined that Debra Silzer will incur an extraordinary hardship if required to comply with Section 20-8.3.4.1.b.2.a; and

WHEREAS, this Committee has determined that waiving compliance with Section 20-8.3.4.1.b.2.a 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 20-8.3.4.1.b.2.a which requires that all new minor subdivisions have a public water supply.

NOW THEREFORE BE IT RESOLVED, by the Peoria County Board, that waiver of compliance with Section 20-8.3.4.1.b.2.a is approved.

NOTICE: Approval of this waiver 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