1. Call to Order

2. Approval of Minutes
   - June 23, 2020

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

4. Zoning Cases
   - Case #024-20-U, Petition of Julie Varnold
   - Case #028-20-V, Petition of Josh Watson as agent for USCOC of Central Illinois

5. Miscellaneous

6. Adjournment
MINUTES
LAND USE COMMITTEE
JUNE 23, 2020
4:00 P.M.

MEMBERS PRESENT: James Dillon – Chairman; Brian Elsasser, Kate Pastucha (via teleconference)

MEMBERS ABSENT: Matt Windish, Sharon Williams

OTHERS PRESENT: Jennie Cordis Boswell - State's Attorney's Office; Scott Sorrel, Shauna Musselman, Gretchen Pearsall - County Administration; Kathi Urban, Andrew Braun - Planning & Zoning;

Call to Order:
Mr. Dillon called the meeting to order at 4:03 p.m.

Mr. Elsasser made a motion to allow Ms. Pastucha to attend via teleconference and was seconded by Mr. Dillon. A vote was taken and the motion passed; (2-0) (Mr. Windish & Ms. Williams were absent.)

Mr. Elsasser made a motion to suspend the rules and was seconded by Ms. Pastucha. A roll call vote was taken and the motion was approved: (3-0) (Mr. Windish & Ms. Williams were absent.)

Approval of Minutes:
A motion to approve the Land Use Committee minutes from April 7, 2020 was made by Ms. Pastucha and seconded by Mr. Elsasser. A roll call vote was taken on the motion and carried. (3-0) (Mr. Windish & Ms. Williams were 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:
022-20-S, Petition of Peoria County:
Mr. Elsasser made a motion to approve the text amendment and was seconded by Ms. Pastucha.

Ms. Urban summarized the case. A Text Amendment to amend Chapter 20, Article 2, Section 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.
Amendment to Section 2.6 “Hearing Procedures” will remove the requirement that the hearing schedule for the Zoning Board of Appeals needs to be published annually. This will allow the Zoning Board to determine their schedule based on workload and also allow them flexibility to meet more or less frequently as needed. Additionally, this allows for less frequent meetings in response to budget cuts, if necessary.

Amendment to Section 3.5 “Special Use Permits” will add a prepared statement to Special Use applications that applicants will sign that states they will be responsible for all costs associated with their applications. These fees include, but are not limited to: attorney’s fees, costs for additional hearings, and costs for appeals. This will eliminate any financial burden to the county for these types of cases. Staff anticipates that this will be especially helpful for cases that are controversial or large scale, such as wind energy or solar farm cases.

Amendment to Section 7.18 “Cannabis Business Establishments” reflects some small changes made at the state level for the cannabis regulations passed late last year. The Peoria County Board adopted cannabis regulations in December 2019. At that time, the state was working on some clean up language to be added to those regulations in the future. This amendment addresses those changes. One addition is that applicants to the state must notify Peoria County Planning and Zoning within 10 days of their application if the property is located within unincorporated Peoria County. This will give staff time to review the property for ordinance requirements. Additionally, there would be an amendment adding retail tobacco stores to the list of prohibited places for on-site use. Furthermore, there were three definitions regarding cannabis that have been slightly modified to reflect the state’s changes.

Mr. Elsasser asked if staff had problems with people not paying for their Special Use applications, and Ms. Urban responded that fees for these applications are always collected at the time of filing. Ms. Urban further explained that these other fees the applicant would be responsible for would be for having special Zoning Board hearings on a case, costs for attorneys, court costs, costs for expert witnesses, etc. Ms. Urban added that staff anticipated that this would likely be for large scale or controversial cases, typically. Mr. Dillon pointed out this this particular amendment was brought forward by a Zoning Board member. Ms. Urban explained that she had learned of this recommendation at a seminar she attended in which a Zoning Board member who is an attorney at Heyl-Royster was the speaker. The Zoning Board member made this recommendation to those in attendance at the seminar.

A roll call vote was taken on the motion and carried. (3-0) (Mr. Windish & Ms. Williams were absent.)

018-20-U. Petition of Debra Silzer:
Mr. Elsasser made a motion to approve the special use request with restriction and was seconded by Ms. Pastucha.

Ms. 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 an existing 23.06 parcel into 3 parcels of approximately 13.6 acres, 8.7 acres, and 1.08 acre. This parcel is located on Southport Road in Rosefield Township. There are 0 consents and 0 objections on file.
Ms. Silzer, her sister, and their parents own the three houses currently located on this property. Ms. Silzer’s parents have since passed away, so she and her sister would like to divide the property into three separate pieces and sell their parents’ home on the newly created 1.08 acre piece. The remaining two pieces would contain the existing houses that each sister owns. This parcel and all surrounding parcels, with the exception of one parcel to the south, is zoned A-2. The parcel to the south is zoned A-1. All of the surrounding properties are a combination of residential and agriculture uses, so this request is consistent with the area. All parcels will be accessed off of Eden Road. No cropland will be taken out of production with this request, although the parcel does have a medium rating for agricultural protection. Each of the homes are served by their own well and septic systems. The Health Department did not comment on the case. The request is consistent with the Peoria County Comprehensive Land Use Plan and the Peoria County Rural Growth Strategy. This request will also bring this parcel into compliance as the zoning ordinance requires only one dwelling per parcel. Staff has recommended approval with restriction and the Zoning Board concurred unanimously.

A roll call vote was taken on the motion and carried. (3-0) (Mr. Windish & Ms. Williams were absent.)

**Subdivision Waivers:**
W04-20, Petition of Debra Silzer:
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 20-8.3.4.1.b.2.a of the Unified Development Ordinance. This section requires a new minor subdivision to have public water supply. This was filed concurrently with the previous zoning case 018-20-U since the parcels to be subdivided will all continue to be served by private wells. Well reports submitted for each well indicated recovery rates of 4.3 gallons per minute, 12.3 gallons per minute and 7.9 gallons per minute. The nearest public water supply is approximately 7 miles to the west (City of Elmwood). The Health Department did not comment on the case; however, all of the wells exceeded the 3 gallon per minute requirement. Staff is recommending approval.

A roll call vote was taken on the motion and carried. (3-0) (Mr. Windish & Ms. Williams were absent.)

**Committee Action:**
Review of Executive Session Minutes:
Ms. Cordis Boswell recommended that all previously held minutes continue to be held as the need for confidentiality still exists, and to destroy all audio recordings of executive session minutes more than 2 years old except for those that are related to pending litigation. A motion was made by Mr. Elsasser and seconded by Ms. Pastucha to accept the recommendation of the State's Attorney's Office. A roll call vote was taken, and the motion carried; (3-0) (Mr. Windish & Ms. Williams were absent.)

**Miscellaneous:**
Mr. Elsasser briefly discussed a wind energy company from Texas that had been in contact with staff about interest in putting a wind farm in the Princeville area. Ms. Urban stated that she had recently been in contact with staff from the wind energy company who had stated that they
hoped to get in touch with landowners soon to see if there was interest in the project. Ms. Urban added that the wind energy company did not want to come to the county board to discuss the possibility of the project until they had spoken with landowners. Mr. Elsasser stated that he would like to have an informational meeting about it in the Princeville area, but with restrictions due to COVID-19, he was unsure of how to hold a large meeting. Mr. Dillon added that these types of projects take years to organize, so he doubted anything would be formally coming before the board any time soon.

No further questions or comments were made.

**Adjournment:** Mr. Dillon adjourned the meeting at 4:24 p.m.

*Recorded by: Ellen Hanks, ZBA Administrative Assistant*
Ways & Means Committee……………... 4:30 p.m., April 23, 2020 Cancelled
Full Commission/Executive Board (in lieu of Lack of Quorum) …5:30 p.m., April 23, 2020

MINUTES

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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, Lees, and Harms. Via phone: Stratton, Bruner, and Martin via phone
3. **Public Input:** None

4. **Presentation of Executive Board (Full Commission) March 26, 2020 minutes**
   Cotton moved to approve March 26, 2020 minutes and Logan seconded. Motion carried.

5. **Executive Director report**
   Miller reported on the following:
   - Staff has transitioned to working remotely
   - New bank set up is complete
   - We are transitioning to paperless billing and payments
   - Continuing work for Regional Water Supply Planning Contract Extension
   - Lees updated on Regional Economic Regional team which was put together by Chris Setti and driven by Anthony Corso, City Centric
   - Hinrichsen added that TCRPC is involved and identify the strategy and that we are being representatives.
   - Neuhauser said that when we get green light to reopen recovery will be forefront on scope. If we have other input, please let Ray Lees know.
   - Lees updated on Asian Carp program with Midwest Fishing Coop.

6. **Ways and Means Report**
   a. **Motion to approve March Financial Statements and Billings (Resolution 20-45)**
      Hovey moved to approve March Financial Statements and Billings (Resolution 20-45) and Smith seconded. Motion carried.
      Stratton updated on the following:
      - Total cash $853,668. Overall, cash decreased by $39k. Our result if operations was $10,364, then we take away the $133.9k due to the increase in AR this month and add back $81.6k for cash provided by this month’s increase in AP. That just leaves us with $2.9k increase in cash which is the net of changes in accruals and deferrals that you see on the Cash Flow Statement on Page 3.
      - Accounts Receivables at the end of the month was $501,042 which is up by $134k over February. That is a lot of money, but it is coming in and going out regularly, and nearly all of it is Federal and State funds.
      - Account Payable at the end of the month was $358,692 which is $81.5k higher than end of February. All but about $4.6k is direct [ass – thru money for contract services and consultants.
      - Total Billings doe March were $264.5k less direct pass-throughs of $180.7k = operating revenue of $83.8k for 22 working days (3 more than February)
      - Total Expenses for March were $254.1k less direct pass-throughs of $180.7k – operating expenses of $73.4k – well within our expected range.
      - March is surplus of $10, 364
      - Y-T-D $32,872 positive
   b. **Motion to approve Martin Hood LLC for 2020 audit (Resolution 20-43)**
      Sundell moved to approve Martin Hood LLC for 2020 audit (Resolution 20-43) and Gorman seconded. Motion carried.
      Miller explained the letter of engagement
      Logan was happy they are working out.
7. Planning
   a. Update on 2020 Census Grant Program
      Bruner updated on the following:
      - Reported on an additional funding of $130,000.
      - Advertising will be place on City Link in Peoria ad agency
      - DCC is impressed with IDES and UIC getting the word out for Census
      - Miller commented on social media and the response rate. Will send out response totals to Commission.

8. Transportation
   a. PPUATS Report
      Harms updated on the following:
      - STBG and the call for projects. Have received 7 applications from all 3 counties and has a review subcommittee of PPUATS members to review applications.
      - LRTP final draft will be presented to PPUATS Policy on June 3rd for review. Public review will be a challenge so we will use our tools to implement and meet our deadlines.
   b. Presentation of draft FY 21 (UPWP) Unified Planning Work Program
      Harms reported the beginning of July will be our deadline
      - PL grant up a little bit to $851,000.
      - Work tasks are different
      - Miller said we are lowering our indirect cost rate. Proposing an entry level staff person in July budget but have decided to hold off.
      - Federal money $170,000 match 80/20. We are proposing the use of Metropolitan Funds as match for Federal funds to give communities relief for fiscal year. This is a 1-time thing.
      - Hovey said well done on the hard work
      - Martin reminded that Pavement Assessment is going on. Neuhauser said to contact Eric Miller of website so people know what the strange vehicle in their area is doing. Hinrichsen asked to him for Germantown Hills. Ulrich will send out information after meeting.

9. GIS

10. Executive Session

11. Any action coming out of Executive Session

12. Other
   - Neuhauser asked for any suggestions for further meetings
   - Miller added there will be a Nominations Committee meeting this month for Officers and Committee members nominations.

13. Adjournment
    Meeting adjourned at 6:20 pm
May 2020 MEETING SCHEDULE

<table>
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<tr>
<th>Event Type</th>
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<tr>
<td>PPUATS Policy</td>
<td>Wednesday, May 6 2020</td>
<td>9:00 a.m.</td>
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<tr>
<td>Executive Board</td>
<td>Monday, May 18, 2020</td>
<td>5:15 p.m.</td>
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<td>PPUATS Technical</td>
<td>Wednesday, May 20, 2020</td>
<td>9:00 a.m.</td>
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<td>Ways &amp; Means</td>
<td>Thursday, May 21, 2020</td>
<td>4:30 p.m.</td>
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<td>Full Commission</td>
<td>Thursday, May 21, 2020</td>
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AGENDA BRIEFING

COMMITTEE: Land Use Committee
MEETING DATE: July 28, 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 & Zoning.

COUNTY BOARD GOALS:

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Adam Willard
DEPARTMENT: Planning & Zoning
DATE: 7/13/2020

ATTACHMENTS:

<table>
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<tr>
<th>Description</th>
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<td>Unsafe Structures</td>
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UNSAFE STRUCTURES

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 #2017-025 (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.

RYNEARSON, Jerry- 14529 W Devils Washboard RD – Timber Twp – Section 21 - (19-21-300-006) - Complaint #2020-138 – The house caught fire. Only a portion of the roof is left, and 3 walls

BRIGGS, David – 8115 Pfeiffer Rd- Limestone Twp- Section 29 - (17-29-400-013) - Complaint #2020-154- House fire. The garage and living room have collapsed, Part of the house still looks structurally sound
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 – 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.

HARPER, Elbert – 2305 S Skyway Rd – Limestone – 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.

JENNINGS, Codee - 2029 W Blackberry Ln – Medina Twp – Sec. 31 - (09-31-227-012) - Complaint # 2020-023 – The house has been severely burned and the remaining structure is unsafe and now has sewage in the basement. This case will be reinspected after the compliance date.
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 #2015-054 - House fire - Major damage. The house has been demolished by the owner.

**NEWMAN,** Joseph - 5908 W Lonsdale Rd - Limestone Twp - Sec. 03 - (17-03-202-002) - Complaint #2012-239 - Shed is unsafe. The unsafe shed was demolished by the owner.

**GILLES,** Brian - (formerly owned by Deutsche Bank National) - 1712 N Boyd Ave. - Limestone Twp. - Section 04 - (17-04-227-010) - Complaint #2015-101 and Complaint #2015-060 - Unsafe shed - This property was inspected on June 9, 2015 and the owner has demolished the shed and the outhouse.

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

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

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

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

CLAYTON, William - 14020 W Rockhill Road - Brimfield - Rosefield Twp - Section 16 - (12-16-200-018) Complaint # 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 Powdernill 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.

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.
AGENDA BRIEFING

COMMITTEE: Land Use Committee
MEETING DATE: July 28, 2020

LINE ITEM: Revenue:
Expenditure:

ISSUE: June 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: 7/1/2020

ATTACHMENTS:

<table>
<thead>
<tr>
<th>Description</th>
<th>Type</th>
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<tbody>
<tr>
<td>June 2020 Development Summary</td>
<td>Backup Material</td>
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# LAND USE COMMITTEE DEVELOPMENT SUMMARY

**PERMITS ISSUED**

**PERIOD START DATE:** 6/1/2020  
**PERIOD END DATE:** 6/30/2020

## NON-RESIDENTIAL CONSTRUCTION

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**TOTAL VALUE NON-RESIDENTIAL CONSTRUCTION THIS PERIOD**  
$2,554,616.00

## RESIDENTIAL NEW CONSTRUCTION

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## ALL OTHER PERMITS

**TOTAL NUMBER OF ALL OTHER PERMITS THIS PERIOD**  
38

**TOTAL VALUE ALL OTHER PERMITS THIS PERIOD**  
$694,764.75
ISSUE: ZBA Case #024-20-U. A Special Use as required in Section 20.5.2.2.1.b of the Unified Development Ordinance. This section allows for a special use for a Major Home Occupation in the “A-2” Agricultural Zoning District when the lot is less than 5 acres in size and/or is located within a platted subdivision. The petitioner proposes to operate a pet grooming business from a 1.31-acre parcel. Also, a Special Use as required in Section 20-7.3.2.3 of the Unified Development Ordinance to vary from the requirement that the home occupation may employ no more than one (1) person who is not a resident of the dwelling unit. The petitioner proposes to employ two (2) people who are not residents of the dwelling unit. Also, a Special Use as required in Section 20-7.3.2.7 of the Unified Development Ordinance to vary from the requirement that the home occupation shall not be open to the public between the hours of 7:00 pm and 9:00 am. The petitioner proposes to open the business at 8:00 am. Also, a Special Use as required in Section 20-7.3.5.1 of the Unified Development Ordinance to vary from the requirement that the home occupation shall occupy no more than 1,000 square feet of an accessory structure which may be used for storage purposes only. The petitioner proposes to operate the business from a 432 sq. ft. accessory structure.

BACKGROUND/DISCUSSION: This case is in District #14, which is County Board member Brian Elsasser’s district. The petitioner, Julie Varnold, requests a special use in order to operate a major home occupation from a 1.31-acre parcel in the “A-2” Agricultural Zoning District. The petitioner also wishes to vary from 3 major home occupation standards. The parcel is located at 15714 N. State Rte. 40, a state highway, in the NE ¼ of Section 6 in Medina Township. There is 1 consent and 0 objections on file. The subject parcel consists of an existing dwelling and a detached garage. The parcel is zoned “A-2” Agriculture along with all adjacent parcels. The current land use is residential. To the north, south, east, and west, the land use is agriculture. The closest single-family dwelling is approximately 0.5 miles to the south while the next closest single-family dwelling is approximately 0.55 miles to the northeast. While the petitioner’s request is not consistent with the agricultural character of the surrounding area, the subject parcel should have minimal to no impact on surrounding agricultural uses. The petitioner requests 3 variations from the home occupation standards: to employ two workers not related to the family residing on the premises, to open the business at 8:00 a.m., and to operate the business from a 432 sq. ft. accessory structure. Equipment used by the business includes a bathtub, grooming dryers, clippers, grooming tables, kennels, and a shop vac. The petitioner has indicated that the number of vehicle trips each day would be 16. According to the petition, the parcel is served by an existing private septic system and public water. The Peoria City/County Health Department commented that at the time of the review, no conditions were found that would cause the Department to recommended denial of the request for an accessory structure for a dog grooming business. However, if the request were denied, the Department does not support allowing the business to move into the primary residence due to the improper disposal of wastewater generated from the operation of the business. It is a Peoria City/County Health Department requirement that the business not start operations until the wastewater can be properly disposed of per Chapter 19, Article II, Division 1, Section 19-17 of the Peoria County Ordinance, and a permit is issued by the Peoria City/County Health Department. The subject parcel is located off N. State Route 40, a state highway. According to the 2017 IDOT traffic map there are approximately 3,450 vehicle trips in a 24-hour period along this portion of N. State Route 40. According to the petitioner’s site plan, the proposed shed will be located behind an existing detached garage, and the traffic pattern will follow the direction of an existing driveway on the subject property. 10-18 pets are groomed each day, and some customers have multiple pets they bring. The Illinois Department of Transportation commented that the Department is not opposed to the Special Use. However, the property owner must apply for a Highway Permit to reconstruct the existing driveway to current commercial-use standards. The Special Use must be contingent on the reconstruction of the driveway. The Peoria County Future Land Use Form Map designates this area as Agriculture. The petitioner states that the subject parcel has no neighbors and is surrounded by agricultural fields, so there will be no disturbance to neighboring property owners. The use is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, promoting economic wellbeing, and encouraging economic vitality and family wage jobs while managing growth.

COUNTY BOARD GOALS:

STAFF RECOMMENDATION: Approval with the following restrictions:

1. As required in Section 20-7.3.7, the home occupation permit shall expire when the resident changes the home occupation; or when the home occupation ceases operation for one year or longer; or when the resident (permittee) moves away from the property.
2. As required in Section 20-7.3.8, permits for all home occupations shall be renewed on an annual basis and a fee shall be paid in accordance with the provisions of Section 1.6 (“Review Fees”). At the time of the annual renewal of
the permit, the Zoning Administrator shall verify that the home occupation continues to meet the standards set forth in this section and may inspect any home occupation to verify such compliance.

3. Parking shall be required to accommodate off-street parking for clients or customers, according to the provisions set forth in Section 20-7.7, Table 7.3 “Parking Requirements”. The petitioner is required to install 3 parking spaces including 1 parking space for the handicapped.

4. The business cannot start operations until the wastewater can be properly disposed of per Chapter 19, Article II, Division 1, Section 19-7 of the Peoria County Ordinance, and the petitioner has acquired a permit from the Peoria City/County Health Department.

5. The Special Use is contingent upon the reconstruction of the driveway. The petitioner must apply for a Highway Permit to reconstruct the existing driveway to current commercial-use standards, as determined by the Illinois Department of Transportation.

ZBA RECOMMENDATION: Approval with restrictions (5-0)

COMMITTEE ACTION:

PREPARED BY: Taylor Armbruster, Planner I

DEPARTMENT: Planning & Zoning

DATE: July 9, 2020
DATE: June 19, 2020

CASE/PETITIONER: 024-20-U / Julie Varnold / 15714 N. State Rte. 40, Edelstein, IL 61526

REQUEST: A Special Use as required in Section 20.5.2.2.1.b of the Unified Development Ordinance. This section allows for a special use for a Major Home Occupation in the “A-2” Agriculture Zoning District, when the lot is less than 5 acres in size and/or is located within a platted subdivision. The petitioner proposes to operate a pet grooming business from a 1.31-acre parcel.

Also, a Special Use as required in Section 20-7.3.2.3 of the Unified Development Ordinance to vary from the requirement that the home occupation may employ no more than one (1) person who is not a resident of the dwelling unit. The petitioner proposes to employ two (2) people who are not residents of the dwelling unit.

Also, a Special Use as required in Section 20-7.3.2.7 of the Unified Development Ordinance to vary from the requirement that the home occupation shall not be open to the public between the hours of 7:00 pm and 9:00 am. The petitioner proposes to open the business at 8:00 am.

Also, a Special Use as required in Section 20-7.3.5.1 of the Unified Development Ordinance to vary from the requirement that the home occupation shall occupy no more than 1,000 square feet of an accessory structure which may be used for storage purposes only. The petitioner proposes to operate the business from a 432 sq. ft. accessory structure.

LOCATION: NE 1/4, Section 6, Medina Township
15714 N. State Rte. 40, Edelstein, IL 61526 / Parcel ID# 09-06-200-003

LAND USE FORM: Agriculture
CURRENT ZONING: “A-2” Agriculture
PRESENT USE: Residential
SIZE OF SITE: 1.31 acres
SURROUNDING ZONING: North, South, East, and West: “A-2” Agriculture
SURROUNDING LAND USES: North, South, East, and West: Agriculture
PUBLIC SERVICES: Fire: Dunlap Fire Department Water: Private Well
Schools: Dunlap CUSD #323 Sewer: Private Septic
TRANSPORTATION: State Route 40, state highway
PERTINENT ZONING CASES ON SITE: None
PERTINENT ZONING CASES IN SURROUNDING AREA: None
PLANNING AND ZONING DEPARTMENT RECOMMENDATION: APPROVAL WITH RESTRICTIONS


**CASE ANALYSIS**

**REQUEST AND LOCATION:** The petitioner, *Juli Varnold*, requests a special use as required in Section 20-5.2.2.1.b of the Unified Development Ordinance (UDO) to allow for an existing pet grooming business as a major home occupation in the "A-2" Agriculture Zoning District. The petitioner currently operates the business as a minor home occupation and requests a major home occupation in order to employ two workers not related to the residents of the dwelling unit, open the business at 8:00 a.m., and operate the business from a 432 square feet accessory structure. A major home occupation is a permitted use in the “A-2” district when the lot is greater than 5 acres and/or is not within a platted subdivision, but a special use is required when the lot is less than 5 acres and/or within a platted subdivision. A special use is also required when a petitioner wishes to differ from the general or major home occupation requirements. The subject parcel is 1.31 acres and consists of a dwelling and a detached garage. The petitioner states that she began grooming at the subject property on May 1, 2020 due to COVID-19 and had groomed at a previous location for more than seven years. According to the petitioner, clients drop off their pets and pick them up at a scheduled time after services are complete, and grooming sessions are by appointment only with 10-18 pets groomed each day. Equipment used by the business includes a bathtub, grooming dryers, clippers, grooming tables, kennels, and a shop vac.

The petitioner also requests a special use as required in Section 20-7.3.2.3 of the UDO to vary from the requirement that the home occupation may employ no more than 1 person who is not a resident of the dwelling unit. The petitioner requests to employ 2 workers not related to the residents of the dwelling unit. According to the petition, employees work based on a schedule, and if both are working, they arrive at the subject property at 8:30 a.m. and work until the end of the scheduled day. Employee duties include checking in pets, bathing and drying pets, possibly grooming pets, checking clients out, answering the phone to schedule appointments, cleaning, and end-of-day notes.

A special use is also requested to vary from the requirements of Section 20-7.3.2.7 of the UDO. This section indicates that the home occupation shall not be open to the public between the hours of 7:00 p.m. and 9:00 a.m. The petitioner requests to open the business at 8:00 a.m. According to the petition, the business’s hours of operation are 8:00 a.m. to 4:00 p.m. every day except Thursday and Sunday.

A special use is also requested to vary from the requirements of Section 20-7.3.5.1 of the UDO. This section indicates that a home occupation may occupy no more than 25 percent of the habitable floor area of one floor of the dwelling unit and no more than 1,000 square feet of an accessory structure which may be used for storage purposes only. The petitioner requests to operate the business from a 432 square feet accessory structure. According to the petition, the proposed accessory structure will be built behind an existing detached garage. Once the proposed accessory structure is built, no part of the existing dwelling will be used for the home occupation, and the business will be conducted solely from the 432 square feet accessory structure.

**Pertinent Zoning Cases on Site:** Minor Home Occupation #2020-002 was approved for the petitioner at the subject property on May 1, 2020. The minor home occupation application indicated that 252 square feet would be used for the home occupation in the basement of the existing dwelling, and the equipment used for the occupation would include grooming blow dryers, a shop vac, a bathtub, kennels, and a grooming table. The application also indicated that the petitioner would apply for a special use for a major home occupation.

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**Pertinent Zoning Cases in Surrounding Area:** None.

**Surrounding Zoning and Land Use:** The subject parcel consists of 1.31 acres and includes an existing dwelling and detached garage. The parcel is zoned “A-2” Agriculture along with all adjacent parcels. The current land use on the subject parcel is residential. To the north, south, east, and west, the land use is agriculture. The closest single-family dwelling to the subject parcel is located approximately 0.5 miles to the south while the next closest single-family dwelling is located approximately 0.55 miles to the northeast. The petitioner states that the subject parcel is surrounded by farmland which is a factor that justifies the inconsistency of the proposed use, as the petitioner has no neighbors and the dwelling is surrounded by agricultural fields. The petitioner also states that there will be no disturbance to neighboring property owners. While the petitioner’s request to operate an existing pet grooming business as a major home occupation is not consistent with the agricultural uses and character of the surrounding area, the subject parcel is far removed from surrounding residential uses and should have minimal to no impact on surrounding agricultural uses.

**Technical Adequacy:** Section 20-5.2.2.1.b of the Peoria County Unified Development Ordinance allows for a Special Use for a Major Home Occupation in the “A-2” Agriculture Zoning District if the lot is less than 5 acres and/or is in a platted subdivision. The subject parcel is 1.31 acres.

The petitioner also requests a Special Use to vary from Section 20-7.3.2.3. This section requires that the use must be conducted entirely within the dwelling or the accessory structure by members of the family residing on the premises. A home occupation that is classified as “major” may additionally employ no more than one person who is not a resident of the dwelling unit. The petitioner requests to employ two workers not related to the family residing on the premises. According to the petition, employees work based on a schedule, and they arrive at the subject property at 8:30 a.m. and work until the end of the scheduled day. Hours of operation are 8:00 a.m. to 4:00 p.m. every day except Thursday and Sunday. Employee duties include checking in pets, bathing and drying pets, possibly grooming pets, checking clients out, answering the phone to schedule appointments, cleaning, and end-of-day notes.

The petitioner also requests a Special Use to vary from Section 20-7.3.2.7. This section requires that the home occupation shall not be open to the public between the hours of 7:00 p.m. and 9:00 a.m. The petitioner requests to open the business at 8:00 a.m., as the hours of operation for the business are 8:00 a.m. to 4:00 p.m.

The petitioner also requests a Special Use to vary from Section 20-7.3.5.1 of the Major Home Occupation requirements. This section requires that the use shall occupy no more than twenty-five (25) percent of the habitable floor area of one floor of the dwelling unit and no more than one thousand (1,000) square feet of an accessory structure which may be used for storage purposes only. The petitioner requests to operate an existing pet grooming business from an accessory structure. According to Minor Home Occupation #2020-002, the petitioner is permitted to operate an existing pet grooming business from 252 square feet in the basement of an existing dwelling on the subject property. The petitioner is proposing to operate the business from a 432 square feet accessory structure. Once the
proposed accessory structure is built, no part of the existing dwelling will be used for the home occupation, and the business will be conducted solely from the accessory structure.

Section 20-7.3.5.2 requires that mechanical equipment may be used in the home occupation which is common to the type of business and which is beyond that which is normally used in household, domestic, or general office use, or for hobby purposes. The petitioner states that the equipment used by the business includes a bathtub, grooming dryers, clippers, grooming tables, kennels, and a shop vac.

Section 20-7.3.5.4 requires that additional parking needed to accommodate the clients or customers of the home occupation shall be met by off-street parking, according to the provisions set forth in Section 7.7 (“Parking and Loading Requirements”). According to Table 7-3 in Section 20-7.7.2, personal service establishments require 1 space per 200 square feet. The petitioner requests to operate an existing pet grooming business from a 432 square feet accessory structure, which would require 3 parking spaces including 1 parking space for the handicapped as required by Table 7-4 in Section 20-7.7.6. In the application for Minor Home Occupation #2020-002, the petitioner indicated that the business would need 2 parking spaces, and the petitioner has indicated the proposed location of a parking space for the handicapped on the submitted site plan.

Section 20-7.3.5.7 requires that visitors, customers, or deliveries shall be permitted. Business visitors shall be permitted on a scheduled and unscheduled basis. However, in no event may automobile trips exceed thirty (30) per day for the home occupation. In the application for Minor Home Occupation #2020-002, the petitioner indicated that the number of vehicles arriving and leaving the business each day would be 16. According to the petition, 10-18 pets are groomed each day at the subject parcel.

**Environmental Impacts:** According to the petition, the parcel is served by an existing private septic system and public water. The Peoria City/County Health Department commented that at the time of the review, no conditions were found that would cause the Department to recommended denial of the request for an accessory structure for a dog grooming business. However, if the request was denied, the Department does not support allowing the business to move into the primary residence due to the improper disposal of wastewater generated from the operation of the business. It is a Peoria City/County Health Department requirement that the business not start operations until the wastewater can be properly disposed of per Chapter 19, Article II, Division 1, Section 19-17 of the Peoria County Ordinance, and a permit is issued by the Peoria City/County Health Department.

**Transportation Impacts:** The subject parcel is located off N. State Route 40, a state highway. According to the 2017 IDOT traffic map there are approximately 3,450 vehicle trips in a 24-hour period along this portion of N. State Route 40. The proposed accessory structure will be accessed by an existing driveway off N. State Route 40. No new access points are proposed at this time. According to the petitioner’s site plan, the proposed shed will be located behind an existing detached garage and the traffic pattern will follow the direction of an existing driveway on the subject property. According to the petitioner’s minor home occupation application, the business requires two parking spaces, and the number of vehicles arriving and leaving the business each day would be 16. The petitioner states that she sees no expected traffic impacts due to the way the business schedules appointments, and grooming sessions are by appointment only. 10-18 pets are groomed each day, and some customers have multiple pets they bring. Drop off and pick up is most common, but sometimes the business’s clients will wait for their pets to finish their grooming session. The petitioner also states that the business employs two
workers not related to the residents of the dwelling. Employees work on scheduled days, and they arrive at the subject property at 8:30 a.m. and work until the end of the day. The business’s hours of operation are 8:00 a.m. to 4:00 p.m. every day except Thursday and Sunday. The proposed use would generate minimal impact to the traffic patterns of the area. The Illinois Department of Transportation commented that the Department is not opposed to the Special Use. However, the property owner must apply for a Highway Permit to reconstruct the existing driveway to current commercial-use standards. The Special Use must be contingent on the reconstruction of the driveway.

**LAND USE FORM:** The Peoria County Future Land Use Form Map designates this area as Agriculture. The primary uses in the Agriculture land use form are agriculture, open space, and mineral extraction. The Peoria County Future Land Use Plan (Land Use Plan) indicates that the Agriculture Land Use Form includes areas of lower-productivity agricultural land, often with timber stands and other topographical land features that hamper row-crop agriculture, and residential development is limited to farmsteads on very large lots. The description of the Agriculture Land Use Form also indicates that agriculture is the predominant land use and includes farming, farm-service businesses, pastures, and homesteads, and other types of development are restricted to the lowest producing agricultural land. The petitioner requests to operate an existing pet grooming business as a major home occupation from the subject parcel. The subject parcel consists of 1.31 acres, contains no cropland, and is used solely for residential purposes. As the Land Use Plan states, other types of development in the Agriculture Land Use Form are restricted to the lowest producing agricultural land. The petitioner states that the subject parcel has no neighbors and is surrounded by agricultural fields, so there will be no disturbance to neighboring property owners. The proposed use is consistent with the character of the subject parcel. The use is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, promoting economic wellbeing, and encouraging economic vitality and family wage jobs while managing growth. The petitioner requests to operate an existing pet grooming business from an accessory structure as a major home occupation. The petitioner has been grooming pets for over seven years and wishes to continue operating her business. The petitioner provides a valuable local service to the community.

**CONCLUSIONS**

**CONSISTENCY WITH ADOPTED COUNTY PLAN:** The Future Land Use Form map in the Peoria County Comprehensive Land Use Plan designates this area as Agriculture. The petitioner requests to vary from the requirements of a major home occupation, which requires a special use for parcels in the “A-2” Agricultural district less than 5 acres and/or in a platted subdivision. The request is consistent with the land uses allowed in the Agricultural Land Use Form which include agriculture, open space, and mineral extraction and indicate that other types of development are restricted to the lowest producing agricultural land. The request is consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, promoting economic wellbeing, and encouraging economic vitality and family wage jobs while managing growth. The petitioner requests to operate an existing pet grooming business from an accessory structure on a 1.31-acre residentially used parcel.

**CONSISTENCY WITH COMMUNITY CHARACTER:** The petitioner requests to operate an existing pet grooming business as a major home occupation from an accessory structure. Agriculture is the only land use within a half-mile of the subject parcel. The current land use on the subject parcel is residential.
While the request is not consistent with the agricultural uses and character of the surrounding area, the subject parcel is far removed from surrounding residential uses and should have minimal to no impact on surrounding agricultural uses.

**Minimizing Adverse Effects:** The proposed use should not create excess noise nor negative visual effects. The proposed grooming shed will be located behind an existing detached garage, and customers will usually drop off their pets instead of staying on the property. Any change to the transportation system should be minimal. The petitioner sees no expected traffic impacts due to the way the business schedules appointments, and grooming sessions are by appointment only.

**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 a major home occupation in the “A-2” Agriculture 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 petitioner will also comply with the requirements of Section 20-7.5, “Signs.” Not more than one non-illuminated, non-projecting sign measuring 2 square feet per face may be displayed on the dwelling. The applicant will be responsible to attain all required permits from the Peoria City/County Health Department, the Peoria County Planning & Zoning Department, and the Illinois Department of Transportation.
RECOMMENDATION

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

1. As required in Section 20-7.3.7, the home occupation permit shall expire when the resident changes the home occupation; or when the home occupation ceases operation for one year or longer; or when the resident (permittee) moves away from the property.
2. As required in Section 20-7.3.8, permits for all home occupations shall be renewed on an annual basis and a fee shall be paid in accordance with the provisions of Section 1.6 (“Review Fees”). At the time of the annual renewal of the permit, the Zoning Administrator shall verify that the home occupation continues to meet the standards set forth in this section and may inspect any home occupation to verify such compliance.
3. Parking shall be required to accommodate off-street parking for client or customers, according to the provisions set forth in Section 20-7.7, Table 7.3 “Parking Requirements”. The petitioner is required to install 3 parking spaces including 1 parking space for the handicapped.
4. The business cannot start operations until the wastewater can be properly disposed of per Chapter 19, Article II, Division 1, Section 19-7 of the Peoria County Ordinance, and the petitioner has acquired a permit from the Peoria City/County Health Department.
5. The Special Use is contingent upon the reconstruction of the driveway. The petitioner must apply for a Highway Permit to reconstruct the existing driveway to current commercial-use standards, as determined by the Illinois Department of Transportation.

Respectfully submitted,

Taylor Armbruster
Planner I

Kathi Urban
Director
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, July 9, 2020, in Room 403 of the Peoria County Courthouse, 324 Main Street, Peoria, Illinois. The meeting was called to order by Chairperson Loren Bailliez at 9:00 a.m.

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

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

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

Case No. 024-20-U at 9:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of JULIE VARNOLD, acting on her own behalf, a SPECIAL USE as required in Section 20.5.2.2.1.b of the Unified Development Ordinance. This section allows for a special use for a Major Home Occupation in the “A-2” Agriculture Zoning District, when the lot is less than 5 acres in size and/or is located with a platted subdivision. The petitioner proposes to operate a pet grooming business from a 1.31 acre parcel. Also, a Special Use as required in Section 20-7.3.2.3 of the Unified Development Ordinance to vary from the requirement that the home occupation may employ no more than one (1) person who is not a resident of the dwelling unit. The petitioner proposes to employ two (2) people who are not residents of the dwelling unit. Also, a Special Use as required in Section 20-7.3.2.7 of the Unified Development Ordinance to vary from the requirement that the home occupation shall not be open to the public between the hours of 7:00 pm and 9:00 am. The petitioner proposes to open the business at 8:00 am. Also, a Special Use as required in Section 20-7.3.5.1 of the Unified Development Ordinance to vary from the requirement that the home occupation shall occupy no more than 1,000 square feet of an accessory structure which may be used for storage purposes only. The petitioner proposed to operate the business from a 432 sq. ft. accessory structure.

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 petitioner will build an 18’ x 24’ building for a pet grooming business behind the current garage. The business will employ 2 people and the petitioner has been doing this business for 7+ years in different locations. The Department of Transportation is requesting that the driveway meet commercial standards.
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 property is located in an agriculture and rural area, plus there are no other homes nearby.

3. That the design of the of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
   • The business will operate between 8 am and 4 pm. The pets will all be dropped off and picked up before 4 pm each day of operation.

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 applicant has no knowledge of any 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.
   • All ordinances will be satisfied in this pet grooming business.

A motion to approve the Findings of Fact was made by Mr. Happ and seconded by Mr. Fletcher. Affirmative votes; (5-0). A motion to approve the Special Use with restrictions was made by Ms. O’Brien and seconded by Mr. Fletcher. A vote was taken, and the motion was approved; (5-0)

Meeting adjourned 11:48 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 restrictions, Petition of Julie Varnold.

RESOLUTION

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

WHEREAS, a Special Use is required in Section 20-5.2.2.1.b of said ordinance for the operation of a Major Home Occupation in the A-2 Agricultural Zoning District when the lot is less than 5 acres in size and/or is located within a platted subdivision; and

WHEREAS, said ordinance allows for variations from the standards of home occupations individually by Special Use in the “A-2” Agricultural Zoning District; and

WHEREAS, a Special Use is required in Section 20-7.3.2.3 of said ordinance to vary from the requirement that the home occupation may employ no more than one (1) person who is not a resident of the dwelling unit; and

WHEREAS, a Special Use is required in Section 20-7.3.2.7 of said ordinance to vary from the requirement that the home occupation shall not be open to the public between the hours of 7:00 pm and 9:00 am; and

WHEREAS, a Special Use is required in Section 20-7.3.5.1 of said ordinance to vary from the requirement that the home occupation shall occupy no more than 1,000 square feet of an accessory structure which may be used for storage purposes only; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on July 9, 2020 in Case No. 024-20-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 July 9, 2020, and voted to recommend approval of the Special Use request for a major home occupation as required in Section 20-5.2.2.1.b, the Special Use request relating to employment of more than one (1) person as required in Section 20-7.3.2.3, the Special Use request relating to opening the business before 9:00 am as required in Section 20-7.3.2.7, and the Special Use request relating to operating the business from a 432 square foot accessory structure as required in Section 20-7.3.5.1; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on July 28, 2020 to consider the ZBA’s recommendation and voted to approve the Special Use with the following restrictions:

1. As required in Section 20-7.3.7, the home occupation permit shall expire when the resident changes the home occupation; or when the home occupation ceases operation for one year or longer; or when the resident (permittee) moves away from the property.
2. As required in Section 20-7.3.8, permits for all home occupations shall be renewed on an annual basis and a fee shall be paid in accordance with the provisions of Section 1.6 (“Review Fees”). At the time of the annual renewal of the permit, the Zoning Administrator shall verify that the home occupation continues to meet the standards set forth in this section and may inspect any home occupation to verify such compliance.

3. Parking shall be required to accommodate off-street parking for clients or customers, according to the provisions set forth in Section 20-7.7, Table 7.3 “Parking Requirements.” The petitioner is required to install 3 parking spaces including 1 parking space for the handicapped.

4. The business cannot start operations until the wastewater can be properly disposed of per Chapter 19, Article II, Division 1, Section 19-7 of the Peoria County Ordinance, and the petitioner has acquired a permit from the Peoria City/County Health Department.

5. The Special Use is contingent upon the reconstruction of the driveway. The petitioner must apply for a Highway Permit to reconstruct the existing driveway to current commercial-use standards, as determined by the Illinois Department of Transportation.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. 024-20-U is hereby approved.

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
MEETING DATE: July 28, 2020
LINE ITEM: N/A
AMOUNT: N/A

ISSUE:
ZBA Case #028-20-V. A Variance request from Section 20-7.1.1.2 of the Unified Development Ordinance, which requires that the height of a telecommunication facility shall not exceed 75 feet, if located in a residential zoning district. The petitioner proposed to construct a telecommunications tower at a height of 195 feet in the “R-R” Rural Residential Zoning District, resulting in a variance request of 120 feet. Also, a Variance request from Section 20-7.1.1.3 of the Unified Development Ordinance, which requires that the lot line set back distance to the nearest residential zoned lot shall be at least 50% of the height of the telecommunication facility’s supporting structure. The petitioner proposed to construct a telecommunications tower at a distance of 82 ft. 1 in. from the residential lot to the north, resulting in a variance request of 15 ft. 5 in.

BACKGROUND/DISCUSSION:
This case is in District #12, which is County Board member Rachel Reliford’s district. The petitioner, Josh Watson as agent for USCOC of Central Illinois, LLC, requests variances from the required maximum height of 75 feet for a telecommunications carrier facility located in a residential zoning district and the required setback of 50% of the height of the supporting structure from the nearest residentially zoned lot. The parcel is located at 5000 N. Koerner Road in the NE ¼ of section 22 of Kickapoo Township on Koerner Rd. The parcel has frontage along Koerner Road, a township road, and I-74, a state highway. There are 0 consents and 0 objections on file. The petitioner proposes to construct a telecommunications tower with a height of 195 feet at the subject parcel 82 feet 1 inch from the nearest residentially zoned lot to the north. The adjacent property to the north is under the same ownership as the subject property. The petition states that the site has been selected based upon topography of the area, the need to increase capacity, and to overlap coverage with other sites to provide continuous service. The petition also states that the nature of wireless technology requires sites to be spaced correctly from other sites, and antennas to be placed at adequate heights to achieve their coverage objective. According to the site plan included in the petition, the tower will meet the setback requirement on all but the northern property line. All landscaping requirements will also be met. The Peoria County Highway Department has no objections to the request. Access to the parcel must be coordinated with the Highway Department prior to construction. All oversized / overweight construction loads to this construction site require an oversized / overweight permit.

COUNTY BOARD GOALS: 🌿 HEALTHY VIBRANT COMMUNITIES

ZBA RECOMMENDATION: Approval (4-0)

COMMITTEE ACTION:

PREPARED BY: Corbin Bogle, Planner I
DEPARTMENT: Planning & Zoning
DATE: July 17, 2020
REPORT TO THE ZONING BOARD OF APPEALS FOR THE JULY 9, 2020 PUBLIC HEARING

DATE: June 30, 2020


LOCATION: NE 1/4, Section 22, Kickapoo Twp. / 5000 N. Koerner Rd., Peoria, IL 61615
Parcel ID 13-22-200-028

REQUEST: A Variance request from Section 20-7.1.1.2 of the Unified Development Ordinance, which requires that the height of a telecommunication facility shall not exceed 75 feet, if located in a residential zoning district. The petitioner proposed to construct a telecommunications tower at a height of 195 feet in the “R-R” Rural Residential Zoning District, resulting in a variance request of 120 feet. Also, a Variance request from Section 20-7.1.1.3 of the Unified Development Ordinance, which requires that the lot line setback distance to the nearest residential zoned lot shall be at least 50% of the height of the telecommunication facility’s supporting structure. The petitioner proposed to construct a telecommunications tower at a distance of 82 ft. 1 in. from the residential lot to the north, resulting in a variance request of 15 ft. 5 in.

LOT SIZE: 1.73 acres
EXISTING ZONING: “R-R” Rural Residential
SURROUNDING ZONING: North, South, & West: “R-R” Rural Residential
East: “A-2” Agricultural

EXISTING LAND USE: Vacant
SURROUNDING LAND USE: North: Residential
East: Timberland
South & West: I-74 Right-of-way & Residential

CASE BACKGROUND: The petitioner, Josh Watson as agent for USCOC of Central Illinois, LLC, requests variances from the required maximum height of 75 feet for a telecommunications carrier facility located in a residential zoning district and the required setback of 50% of the height of the supporting structure from the nearest residentially zoned lot. The petitioner proposes to construct a telecommunications tower with a height of 195 feet at the subject parcel 82 feet from the nearest residentially zoned lot to the north. The petition states that the site has been selected based upon topography of the area, the need to increase capacity, and to overlap coverage with other sites to provide continuous service. The petition also states that the nature of wireless technology requires sites to be spaced correctly from other sites, and antennas to be placed at adequate heights to achieve their coverage objective. According to the site plan included in the petition, the tower will meet the setback requirement on all but the northern property line. The Peoria County Highway Department has no objections to the request. Access to the parcel must be coordinated with the Highway Department prior to construction. All oversized / overweight construction loads to this construction site require an oversized / overweight permit.

Respectfully submitted,

Corbin Bogle            Andrew Braun
Planner I              Assistant Director
Case No. 028-20-V at 10:00 a.m. Hearing to be held in room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **USCOC OF CENTRAL ILLINOIS, LLC – JOSH WATSON** (agent), a **Corporation** (Joshua Robert Watson of 5656 N. Wayne Ave. #1, Chicago, IL 60660 – owner, and **Paul Richard Reinhardt II** of 9575 Kingston Crossing Circle, Johns Creek, GA 30022 – owner), acting on behalf of **MICHAEL D. & KAREN POWERS** (owners), a **VARIANCE** request from Section 20-7.1.1.2 of the Unified Development Ordinance, which requires that the height of a telecommunication facility shall not exceed 75 feet, if located in a residential zoning district. The petitioner proposed to construct a telecommunications tower at a height of 195 feet in the “R-R” Rural Residential Zoning District, resulting in a variance request of 120 feet. Also, a Variance request from Section 20-7.1.1.3 of the Unified Development Ordinance, which requires that the lot line set back distance to the nearest residential zoned lot shall be at least 50% of the height of the telecommunication facility’s supporting structure. The petitioner proposed to construct a telecommunications tower at a distance of 82 ft. 1 in. from the residential lot to the north, resulting in a variance request of 15 ft. 5 in.

**FINDINGS OF FACT FOR TELECOMMUNICATIONS CARRIER FACILITIES VARIANCES**

**Section 20-3.9.4**

The findings of the ZBA or the County Board shall consider the following and no other matters:

1. Whether, but for the granting of a variance, the service that the telecommunication carrier seeks to enhance or provide with the proposed facility will be less available, impaired or diminished in quality, quantity, or scope of coverage;
   - The service that the telecommunications carrier seeks to enhance will provide with the proposed facility will be less available, impair and diminish in quality and quality or scope of coverage. This is demonstrated by the radio frequency coverage maps generated by the engineering team and U.S. Cellular.

2. Whether the conditions upon which the application for the variance is based are unique in some respect or, if not, whether the strict application of the regulations would result in a hardship on the telecommunications carrier;
• The location chosen was done so because it provides the best possible coverage. The zoning of the property allows for this use and it is the landowners wish to use the property for this use. Denying the variance would result in a hardship to the telecommunications carrier as they would not be able to provide coverage to the area. Other property options in the area have been exhausted. Strict application of the regulations may also require multiple facility locations instead of just this one.

3. Whether a substantial adverse effect on public safety will result from some aspect of the facility’s design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant;
   • The height and setback variances will not have a substantial adverse effect on surrounding properties. Although unlikely, should failure occur, the tower will not pose a risk to surrounding structures. The tower will be designed with a break point so that if failure does occur, it will only affect the property it is located on. This is supported by the engineering fall zone letter provided by the manufacturer. The facility is unmanned and there will be no substantial change to the traffic on Koerner Road.

4. Whether there are benefits to be derived by the users of the services to be provided or enhanced by the facility and whether public safety and emergency response capabilities would benefit by the establishment of the facility; and
   • The benefits to U.S. Cellular customers as well as roaming providers are currently demonstrated by the increase in coverage, which is illustrated on the coverage maps. The tower is designed to allow for location of more equipment, therefore, it has the capacity to hold other communication carriers as well as emergency and public safety equipment if need occurs, exists, or arises in the future.

5. The extent to which the design of the proposed facility reflects compliance with the following:
   a. No building or tower that is part of a facility should encroach onto any recorded easement prohibiting the encroachment unless the grantees of the easement have given their approval.
      • No building or tower that is part of this facility encroaches onto any recorded easement. This is supported by the survey that was submitted along with the application.
   b. Lighting should be installed for security and safety purposes only. Except with respect to lighting required by the FCC or FAA, all lighting should be shielded so that no glare extends substantially beyond the boundaries of a facility.
      • This tower will not be lighted as markings or lighting is not required by the FAA. This is supported by the FAA Documentation of No Hazard that was submitted alongside the application.
   c. No facility should encroach onto an existing septic field.
      • The facility does not encroach on any septic field.
   d. Any facility located in a special flood hazard area or wetland should meet the legal requirements for those lands.
      • The subject site is not located in a special flood hazard or wetland area.
   e. Existing trees more than 3 inches in diameter should be preserved if reasonably feasible during construction. If any tree more than 3 inches in diameter is removed during construction, a tree 3 inches in diameter of the same or a similar species shall be planted
as a replacement if reasonably feasible. Tree diameter shall be measured at a point 3 feet above ground level.

- No trees of 3” of diameter or more are being removed as a part of this construction project.

f. If any elevation of a facility faces an existing, adjoining residential use within a residential zoning district, low maintenance landscaping should be provided on or near the facility lot to provide at least partial screening of a facility. The quantity and type of that landscaping should be in accordance with Section 7-7, Table 7-3 except that paragraph (e) of this subsection (f) shall control over any tree-related regulations imposing a greater burden.

- Landscaping is being planned on the west side and the northwest corner of the facility. The northeast, west, and south sides of the property are already screened by large trees and the interstate borders the property on the south.

g. Fencing should be installed around a facility. The height and materials of the fencing should be in accordance with Section 7-5.

- The proposed fence is a 6’ chain link fence with 2 strands of barbed wire across the top to dissuade illegal access to the facility.

h. Any building that is part of a facility located adjacent to a residentially zoned lot should be designed with exterior materials and colors that are reasonably compatible with the residential character of the area.

- No buildings are proposed for this facility.

A motion to approve the Findings of Fact was made by Mr. Fletcher and seconded by Ms. O’Brien. Four affirmative votes; (4-0) (Mr. Happ absent for vote.) A motion to approve the telecommunications variance was made by Mr. Keyt and seconded by Mr. Fletcher. A vote was taken and the motion was approved; (4-0) (Mr. Happ absent for vote.)

Meeting adjourned 11:48 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: Approval of Variance, Josh Watson as agent for USCOC of Central Illinois, LLC

ORDINANCE

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

WHEREAS, said ordinance requires a variance for telecommunications towers that will exceed 75 feet in residential zoning districts; and

WHEREAS, the petitioner requested to erect a telecommunications tower with a height of 195 feet resulting in a variance request of 120 feet; and

WHEREAS, said ordinance also requires a variance for telecommunications towers that will not meet the minimum lot line set back distance to the nearest residential zoned lot of 50% of height of the telecommunication facility’s supporting structure; and

WHEREAS, the petitioner requested to erect a telecommunications tower 82 feet 1 inch from the residential lot to the north resulting in a variance request of 15 feet 5 inches; and

WHEREAS, a hearing on said Variance was held before the Zoning Board of Appeals (ZBA) on July 9, 2020 in Case No. 028-20-V; a copy of the deliberation minutes of said hearing and a legal description of the subject property is attached; and

WHEREAS, the ZBA deliberated its decision on July 9, 2020 and voted to recommend approval of the Variance; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on July 28, 2020 to consider the ZBA’s recommendation and voted to approve the Variance; and

WHEREAS all decisions by the County Board shall be supported by written findings of fact, pursuant to Section 20-3.9.8 of the Peoria County Code;

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, the variance requested in Case No. 028-20-V is hereby approved.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE