

**MINUTES
LAND USE COMMITTEE REGULAR
APRIL 26, 2021 @ 4:15 P.M.**

MEMBERS PRESENT: James Dillon - Chairperson; Eden Blair – Vice Chairperson, Jennifer Groves Allison, Brian Elsasser – via telephone, William Watkins, Sharon Williams

MEMBERS ABSENT:

OTHERS PRESENT: Jennie Cordis Boswell – State’s Attorney's Office; Scott Sorrel – County Administration, Kathi Urban, Andrew Braun, Sarah Cox – Planning & Zoning

Call to Order:

Mr. Dillon called the meeting to order at 4:15 p.m.

Dr. Blair made a motion to allow Mr. Elsasser to participate via telephone and was seconded by Ms. Allison. (5-0)

Approval of Minutes:

A motion to approve the Land Use Committee minutes from March 22, 2021 was made by Mr. Watkins and seconded by Ms. Allison. A vote was taken, and the motion carried with Mr. Elsasser voting aye via telephone. (6-0).

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 moved to receive and file the reports.

Zoning Cases:

013-21-U Petition of Becky L. Murphy

Ms. Williams made a motion to approve the special use request and was seconded by Dr. Blair.

Ms. Urban summarized the case. A Special Use request from Section 20-9.1.5.1 of the Unified Development Ordinance. This section allows for a special use in order to deem a nonconforming use or structure to be in conformity and to be allowed to continue and expand as a lawfully existing use or structure. The petitioner proposes to expand an existing non-conforming use in the “I-1” Light Industrial District. The property is located on Wheaton Street in Medina Township. The

parcel has a single family dwelling and several accessory buildings on site. Surrounding land uses include Peoria Park District land as well as residential and light industrial. The single family residence was built in 1940, which was prior to Peoria County zoning. The garage burned down, and they would like to rebuild it. In order to rebuild a residential structure in an industrial district, they need to go through this process. There were no objections from the Peoria City/County Health Department or the Medina Township Road Commissioner. The property is clustered with light industrial uses and other single family dwellings. It is consistent with the area and the recommendation of the Peoria County Land Use Plan. Staff recommends approval as well as the Zoning Board unanimously.

A vote was taken, and the motion carried, with Mr. Elsasser voting aye via telephone. (6-0)

014-21-U Petition of Linda Martin

Mr. Watkins made a motion to approve the special use request and was seconded by Dr. Blair

Ms. Urban summarized the case. A Special Use request from 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 three 10 acre parcels from an existing 30.45 acre tract. The parcel is located on Cedar Hills Drive. Greenview nursery is located East of the subject parcel, and there is a combination of agriculture with agricultural homesites to the North. There are a number of residential subdivisions within one mile. The City of Peoria boundaries are .3 miles Southeast, and the closest subdivision is also .3 miles. The petitioner would like to sell each tract as a homesite. This is consistent with the mixed rural and urban residential character of the surrounding area. This has a low LESA score for agricultural protection and is served by public water. The Peoria City/County Health Department had no objection. The parcel has frontage along Cedar Hills Drive as well as North Cline Road, which is a township collector road. The petitioner is proposing a 30 foot shared ingress/egress easement. The Peoria County engineer has advised that they will not allow access from Cedar Hills Drive. The Medina Township Road commissioner does not have any objections to the proposed use. The Peoria County Land Use Plan for this area is urban, which does allow for residential subdivision, so the request is consistent with the Land Use Plan as well as the Peoria County Growth Strategy. The parcel is within a mile and a half jurisdiction of the City of Peoria, and the City will request an annexation agreement prior to signing the plat. The Medina Township Planning Commission has recommended approval. Staff also recommends approval with the restriction that the parcels created may not be divided again even if subsequently combined with other parcels. The Zoning Board also recommended approval with the same restriction with a vote of 5-1.

Ms. Allison asked if Ms. Urban had stated that the parcel was served by public water. Ms. Urban confirmed that it was served by Illinois American Water.

Mr. Dillon asked Mr. Elsasser, who was participating via telephone, if he heard the answer to Ms. Allison's question. Mr. Elsasser stated that he did, and that he had been in contact with Ms. Urban and Mr. Braun that day concerning the case, and that he planned to contact the petitioner as well as the objector. Mr. Dillon reminded Mr. Elsasser about the New Information Clause.

A vote was taken, and the motion carried, with Mr. Elsasser voting aye via telephone. (6-0)

Miscellaneous:

Ms. Urban stated that staff is bringing forth recommendations to update the building codes. Currently, we enforce the 2012 International Code Council Building Code and are looking to bring it up to date to the 2018 code, along with the 2017 National Electric Code. The City of Peoria has already adopted the same codes, and the intent is to have the entire area on the same code cycle. Planning and Zoning has already spoken to Washington, East Peoria, Morton, and Tazewell County, and everyone is on board to come forth with the same cycle. The State's Attorney's Office is reviewing the amendments, and they hope to bring them to the May committee meeting.

Adjournment:

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

Recorded by: Sarah Cox, ZBA Administrative Assistant