

AGENDA OF THE LEE COUNTY BOARD

APRIL 20, 2004

6:00 P.M.

**3RD FLOOR BOARDROOM, OLD LEE COUNTY COURTHOUSE
112 E. SECOND STREET, DIXON, ILLINOIS**

OPEN MEETING WITH INVOCATION OR PLEDGE OF ALLEGIANCE

ROLL CALL

ANNOUNCEMENTS Ben Melendrez retirement & new baliff John Varga

APPROVAL OF BOARD MINUTES OF PREVIOUS MINUTES

Lee County Judges & Paul Whitcombe

PUBLIC/VISITOR COMMENT:

A. ITEMS ON THE AGENDA – VISITORS ALLOWED 10 MINUTES

B. ITEMS NOT ON THE AGENDA – VISITORS ALLOWED 5 MINUTES

TO ZONING BOARD: 04-P-1382 - Sterling Grain & Storage (Palnyra Twp)

TO PLANNING COMMISSION:

04-P-1389 - Farina & Clifford (Nachusa Twp)

FROM ZONING BOARD: 04-P-1390 - Lee County Zoning (Marion Twp)

04-P-1391 - Miller (Bradford Twp)

FROM PLANNING COMMISSION:

REPORTS OF COMMITTEE:

911 BOARD

ADMINISTRATIVE SERVICES

SOLID WASTE/HEALTH & WELFARE

ROAD & BRIDGE

COMMITTEE CLAIMS

COUNTY PROPERTIES

R.C.&D. – BLACKHAWK HILLS

COUNTY SERVICES

FINANCE

CLAIMS

EXECUTIVE/JUDICIAL/LAW ENFORCEMENT

COUNTY OFFICERS REPORTS, REQUEST FOR DEPOSIT OF FUNDS, ORDERS PAID IN VACATION

OLD BUSINESS

NEW BUSINESS

APPOINTMENTS Jeff Friday - Ashton Fire Dist.

Resolution - South Dixon Twp. Polling Place Change

Ordinance - Lee County Council on Aging (5311 Grant)

Ordinance - Spiller Pay (lay on table until May)

Resolution - GIS fee schedule

Coroner - Richard Schilling (address board)

State's Attorney Quarterly Report

MILEAGE & PER DIEM

ALL BILLS & APPROPRIATIONS ALLOWED BY ROLL CALL

ADJOURN

LEE COUNTY
ZONING BOARD OF APPEALS
TELEPHONE 288-3643 LEE COUNTY COURT HOUSE
DIXON, ILLINOIS 61021

ZONING REPORT FOR MARCH 2004

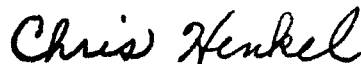
There were a total of 16 permits issued for the month of March with a total dollar volume of \$533,5422. There were 3 permits issued for single-family homes in the amount of \$934,242.

There are 3 petitions to be acted upon by the County Board:

1. 04-P-1389, Robert & Gail Farina (Brian Clifford)
Petitioner is requesting PPN #14-03-17-200-006, Nachusa Township and commonly known as 1375 Flagg Road, Dixon be rezoned from AG-1, Agricultural District to Special Use for conducting a bed and breakfast business (5 rooms, home only). Property is located on the south side of Flagg Road approximately 1 ½ miles east of Lost Nation Road. Sale of property to Brian Clifford is subject to approval of Special Use for bed and breakfast.
2. 04-P-1390, Lee County Zoning Office
Petitioner is requesting PPN #12-14-05-300-002, Marion Township (10 acres) be rezoned from AG-2, Concentrated Livestock Production District to AG-1, Agricultural District. Property is located on the north side of Rhodenbaugh Road approximately 1800 feet east of Pump Factory Road and owned by Elma Rhodenbaugh. The concentrated zoning is no longer needed.
3. 04-P-1391, Neil & Susan Miller
Petitioner is requesting 70' x 1600' of PPN #04-10-21-200-003, Bradford Township and commonly known as 1470 Baldyville Road, Ashton to be rezoned from AG-1, Agricultural District to Special Use for a private landing strip. Property is located on the east side of Baldyville Road approximately ¾ of a mile north of Pipeline Road.

The Zoning Board of Appeals voted unanimously to approve the above referenced petitions.

Very truly yours,



Chris Henkel
Zoning Administrator

LEE COUNTY ZONING BOARD OF APPEALS

BOARD MEMBERS

Ron Conderman, Chairman

Craig Buhrow, Vice Chairman

Mike Pratt, Member

Gene Bothe, Member

Tom Fassler, Member

Howard Schoenholz, Alternate

Gene Hardiek, Alternate

Chris Henkel, Zoning Administrator

Katie Murray, Clerk

The Lee County Zoning Board of Appeals met Thursday, April 1, 2004 at 7:00 p.m. in the Lee County Courthouse, Dixon Township, Dixon, Illinois. The Chairman called the meeting to order and the Clerk called the roll with the following members present: Fassler, Bothe, Pratt, Buhrow, and Conderman.

Chairman Conderman asked for approval of the minutes from March's zoning meeting. Gene Bothe made a motion to approve the minutes, seconded by Mike Pratt. All in favor.

The first petition on the agenda for consideration was Petition No. 04-P-1389, Robert and Gail Farina (Brian Clifford). Petitioner is requesting PPN #14-03-17-200-006, Nachusa Township and commonly known as 1375 Flagg Road, Dixon, Illinois be rezoned from AG-1, Agricultural District to Special Use for conducting a bed & breakfast business (5 rooms, home only). Property is located on the south side of Flagg Road approximately 1 ½ miles east of Lost Nation Road. Sale of property to Brian Clifford is subject to approval of Special Use for bed and breakfast.

Chairman Conderman asked that anyone speaking for or against this petition come forward. Carol and Brian Clifford were sworn in. Chairman Conderman indicated all paperwork has been turned in.

Carol Clifford stated that they are intending to convert a home to a bed and breakfast, the petition is that simple.

Mr. Conderman asked the Clifford's if they have done this before. Brian Clifford indicated that they have stayed in many bed and breakfasts throughout the country. They have restored this Victorian home to its original luster and filled it with antiques. Mr. Clifford stated that they enjoy doing this. Carol Clifford reported that they have not done this before but have done a lot of research on this subject.

Tom Fassler asked if they would contact realtors for the flow of people. Mr. Clifford reported that they have started a multi-faceted business plan. Mrs. Clifford indicated that their target market is quilters. She stated she is a quilter and understands at times this group likes to get away to a quiet place to work on their quilts. She also reported that they plan to advertise through quilt shops, bees, magazines, etc. They would also like to target

golf courses and restaurants. The Clifford's reported they would like to join the chamber of commerce to be available online through the chamber. Mr. Clifford stated they would like to advertise the bed and breakfast by word of mouth, they do not plan to advertise in papers. The Clifford's do plan to advertise in bed and breakfast publications.

Mike Pratt asked the Clifford's if they are new to the area. Mr. Clifford stated yes, they are from Downers Grove. He also stated that his father grew up in rural New Hampshire and he has spent a great deal of time there.

Craig Buhrow asked the Clifford's if they are living in the house. Mr. Clifford answered yes.

Chris Henkel demonstrated on the map where the property is located. He indicated that it is 3.87 acres. The Clifford's reported that there are five red buildings on the property, two are barns and three are outbuildings.

Mike Pratt asked how many people can stay at the bed and breakfast. Mr. Clifford stated there are five rooms therefore five couple could stay.

Mr. Clifford stated that they plan to become a county certified kitchen and have the ability to serve breakfast and hors d'oeuvres.

Craig Buhrow asked if the septic system would increase. Mr. Clifford reported that there are two septic systems currently in place.

Craig Buhrow asked how many bed and breakfasts there are in the area. Mr. Clifford stated there is one in Grand Detour, a couple in Oregon and some in Dixon. He reported there are not many in the area.

Chairman Conderman asked audience members to come forward if they wish to speak. Brian McWethy was sworn in and stated he lives 1000 feet down the road on the east side. Mr. McWethy asked the Cliffords if they have any plans for the outbuildings. Mr. Clifford indicated they have no plans for the property around the house or the outbuildings. As for the house they would like to add a deck and a overhang, Mr. Clifford stated.

Mr. McWethy stated that there are five rooms and asked the Cliffords if they live here. Mr. Clifford reported that this is true.

Chairman Conderman indicated that because this is request for a special use petition they must determine the findings of fact. Chairman Conderman read Question #1 Findings of fact regarding the effect of such proposed use upon the character of the neighborhood are as follows: Mr. Conderman stated that there will not be a change to the neighborhood. Chris Henkel clarified that there will be up to five couples staying at the bed and breakfast, the property has a septic system and the target market is quilters.

Question #2 Findings of fact regarding the effect of such proposed use upon traffic conditions are as follows: Ron Conderman stated that this will not change the traffic much. Tom Fassler, Ron Conderman and Chris Henkel stated that this is already a busy road and is a blacktopped, county road.

Question #3 Findings of fact regarding the effect of such proposed use upon public utility facilities are as follows: Chris Henkel reported that there are already two 200 amp services in place therefore there would be no extra burden on electric. Mr. Clifford stated they might add to the phone system.

Question #4 Findings of fact regarding the effect of such proposed use upon public health, public safety or general welfare are as follows: The board asked the Clifford's if they serve food do they need a health certificate. Mr. Clifford reported that they have researched this issue and until you get a certificate all you can serve is pre-packaged food or bakery goods. The board indicated that as for the public safety there should be no worries from the sheriff. The board reported there will be no change to the general welfare.

Chris Henkel stated that he would like to clarify this is only special use for the house not the entire property. Tom Fassler asked if they need the parking area changed. Chris Henkel stated no, there is ample room for parking.

Tom Fassler stated that this bed and breakfast will add to the character of the community. There being no objectors present or on file Tom Fassler made a motion to approve Petition No. 04-P-1389, seconded by Craig Buhrow. Those voting aye: Tom Fassler, Gene Bothe, Mike Pratt, Craig Buhrow and Ron Conderman. Those voting nay: none. Motion carried 5-0. Chairman Conderman indicated that this will go in front of the Lee County Board on April 20, 2004 at 6:00 p.m. with a recommendation.

Brian Clifford asked if they needed to be present at the county board meeting. Chris Henkel stated to the Clifford's that is up to them.

The second petition on the agenda was Petition No.04-P-1390, Lee County Zoning Office. Petitioner is requesting PPN #12-14-05-300-002, Marion Township (10 acres) be rezoned from AG-2, Concentrated Livestock Production District to AG-1, Agricultural District. Property is located on the north side of Rhodenbaugh Road approximately 1800 feet east of Pump Factory Road and owned by Elma Rhodenbaugh. The concentrated zoning is no longer needed.

Chairman Conderman asked if the zoning officer would like to speak. Chris Henkel was sworn in. Mr. Henkel stated this is a clean up zoning. The Rhodenbaughs are not present. Mr. Henkel stated that the Rhodenbaughs originally applied for AG-2 to raise "X" amount of livestock. Under the county regulations we must pull AG-2 if it is not being used and the Rhodenbaughs are not using it.

Tom Fassler asked Chris Henkel if Chuck contacted him. Mr. Henkel stated no but the zoning office did issue a letter to the petitioner. Tom Fassler asked if they are raising any livestock. Mr. Henkel reported no, they haven't for years. Mr. Henkel stated that if they wish to apply for the zoning again they can come back in and ask this board.

There being no objectors present or on file Mike Pratt made a motion to approve Petition No. 04-P-1390, seconded by Gene Bothe. Those voting aye: Tom Fassler, Gene Bothe, Mike Pratt, Craig Buhrow and Ron Conderman. Those voting nay: none. Motion carried 5-0. Chairman Conderman indicated that this will go in front of the Lee County Board on April 20, 2004 at 6:00 p.m. with a recommendation.

The third petition on the agenda was Petition No. 04-P-1391, Neil and Susan Miller. Petitioner is requesting 70' X 1600' of PPN #04-10-21-200-003, Bradford Township and commonly known as 1470 Baldyville Road, Ashton be rezoned from AG-1, Agricultural District to Special Use for a private landing strip. Property is located on the east side of Baldyville Road approximately $\frac{3}{4}$ of a mile north of Pipeline Road.

Neil Miller was present and sworn in. Chairman Conderman indicated that all paperwork has been turned in.

Neil Miller indicated that he wants a strip to fly his plane off of. Mr. Miller reported that the plane is home built. The wings of the plane fold up when it is stored.

Tom Fassler asked Mr. Miller how long the landing strip will be. Mr. Miller stated that the minimum legal length is 1600 feet which is set by the FAA.

Craig Buhrow asked Mr. Miller if he has that much land. Mr. Miller stated that the strip would be 1000 feet from the road. He also stated that there is an existing landing strip but it cannot be used. The strip he would like to use will be on the east side of the buildings.

The board and Mr. Miller demonstrated on the map where the strip will be located.

Mr. Miller stated that his plane is experimental and the take off is short.

Chris Henkel asked if this strip is for one airplane. Mr. Miller answered yes.

Tom Fassler indicated that the strip is on the map therefore someone could use the strip. Mr. Miller stated that it is considered a Restricted Landing Area but if someone had to use it they could. Mr. Miller stated that it is too short for crop dusters.

Mike Pratt asked if there have been any complaints from the neighbors and Mr. Miller answered no.

Chris Henkel stated that he would like to make Mr. Miller aware that there is a temporary tower out there. The tower will come down but he wanted to bring it to Mr. Miller's

attention for safety issues. Mr. Henkel stated that the tower is unlit. Mr. Henkel reported that it is owned by Florida Power and Light.

Craig Buhrow asked Mr. Miller if he puts out a wind socket. Mr. Miller stated that yes they do have one.

Chairman Conderman stated that this is a special use petition and proceeded to read the special use advisory report.

Chairman Conderman read Question #1 Findings of fact regarding the effect of such proposed use upon the character of the neighborhood are as follows: Chris Henkel stated that this is for one owner. The air strip may possibly be used by others but Mr. Miller did not apply for multiple use.

Question #2 Findings of fact regarding the effect of such proposed use upon traffic conditions are as follows: The board agreed there would be no effect on traffic conditions.

Question #3 Findings of fact regarding the effect of such proposed use upon public utility facilities are as follows: The board agreed there would be no effect on public utility. Mr. Henkel indicated that there will not be a lighted runway.

Question #4 Findings of fact regarding the effect of such proposed use upon public health, public safety or general welfare are as follows: The board discussed that this does not apply.

There being no objectors present or on file Craig Buhrow made a motion to approve Petition No. 04-P-1391, seconded by Mike Pratt. Those voting aye: Tom Fassler, Gene Bothe, Mike Pratt, Craig Buhrow and Ron Conderman. Those voting nay: none. Motion carried 5-0. Chairman Conderman indicated that this will go in front of the Lee County Board on April 20, 2004 at 6:00 p.m. with a recommendation.

Under New Business Chris Henkel stated that Florida Power and Light did withdraw their request for zoning. Mr. Henkel stated that his office removed all special use on the properties and returned it to AG-1.

Tom Fassler asked if the property owners can sell the zoning. Chris Henkel stated no, the zoning was only for the petitioners Florida Power and Light. Mr. Henkel indicated that he could ask petitioners Joyce and Bruce Papiach, GSG Forever Power and Construction, to start building by April 20th. The Papiach's have started a substantial amount of work therefore he will not push the issue. Mr. Henkel stated that they will assume the Papiach will get the work done but it maybe by late spring.

Ron Conderman asked for an update on the bike track. Mr. Henkel indicated that he has not heard anything. If he has not heard anything by April 9th he will send a letter to the State's Attorneys Office.

Gene Bothe asked if anything is going on with the Nelson project. Mr. Henkel stated that he has not heard anything through the zoning office.

There being no further business in front of the board Tom Fassler made a motion to adjourn, seconded by Mike Pratt. Those voting aye: Tom Fassler, Gene Bothe, Mike Pratt, Craig Buhrow and Ron Conderman. Those voting nay: none. Meeting adjourned.

Chairman

Natie Murray

Clerk

LEE COUNTY REGIONAL PLANNING COMMISSION

William O'Keefe, Chairman

Bob Logan, Member

Ellen Smith, Member

James Book, Member

John Schmidt, Member

Wendy Ryerson, Member

Marilyn Shippert, Member

John Hillison, Member

Chris Henkel, Zoning Officer

Kristy Fruin, Clerk

The Lee County Planning Commission met on Monday, April 5, 2004 at 6:30pm in the Lee County Courthouse, Dixon Township, Dixon, Illinois. Chairman, William O'Keefe, called the meeting to order and took roll with the following members present: Ellen Smith, Marilyn Shippert, Bob Logan, Jim Book, John Schmidt, Wendy Ryerson and Kristy Fruin, clerk.

In the first order of business, Bill O'Keefe asked for comments or corrections to the previous month's minutes. Marilyn Shippert pointed out a correction on page #3, it should state as follows" the green way plan has not been approved and that this is written with the assumption that it would be approved." With that correction John Schmidt seconded by Wendy Ryerson made a motion to approve minutes. All in favor, motion carried.

Chris Henkel gave a report of the County Board' action. They approved a C-3 zoning for auto repair to Brian Bellini on Eldena Road, Dixon, Ill.

Mr. O'Keefe asked if the guests present had any questions not related to the sketch plan that was being reviewed tonight. There were no questions.

Chris Henkel introduced Chris Higgins from Willett and Hoffman Engineers and Richard Fluck with the Sketch plan for a subdivision with 10 lots and a new road. Mr. Higgins shows the committee where the area is that Mr. Fluck is requesting a new road and subdivision. He explains where the access road will be. Mr. O'Keefe asked if the road would be built with the townships specs and Mr. Higgins stated yes.

Mr. O'Keefe asked where the flood plain line was and stated that it had to be certified on the final plat. Chris Higgins stated that they would do whatever the committee requested.

Chris Henkel stated that the only two issues were the flood plain and the access road. Mr. Book asked how long the road would be. Mr. Higgins stated that it would be 500 plus 1700, which would be a long road. Marilyn Shippert asked if it ended in a cul-de-sac. Mr. O'Keefe stated that since it it would have to meet the dead-end requirements and they would want the local Fire Department to sign off saying they don't have a problem with the road. Mr. O'Keefe stated that when you have a roadway and it doesn't end in a cul-de-sac, the requirements would have to meet the dead-end turn around, which requires a minimum diameter of 130ft.

Jim Book asked Mr. Fluck if it's ever flooded. Mr. Fluck stated that it's never gotten up that far. Chris Higgins stated that part of the lot goes out into the water. Wendy Ryerson asked how deep the water was. Mr. Fluck stated that it's about 4-5ft in the middle.

Mr. O'Keefe asked if there were any other issues, other than needing a letter from the Rock Falls Fire Department stating that the length of the road was okay. Mr. O'Keefe asked Chris about the LESA score. Chris stated that they don't have the LESA yet. Chris Henkel stated that if the Fire Department doesn't approve, the maximum length of the roadway can only be 800 feet without a turnaround.

Marilyn Shippert stated that she doesn't see any problems as long as we are okay with the flood plain. Mr. Fluck stated that it has never been a problem in the past. Chris Henkel asked if the elevation was higher out there. Mr. Higgins stated yes, it's out of the flood plain.

Mr. O'Keefe asked if there were any other questions. Chris Henkel asked if they should go on with the preliminary plat while the committee is deciding. Mr. Book stated that it looked good.

Bill O'Keefe asked if there were anything more to discuss. Marilyn Shippert made a motion to adjourn seconded by Jim Book. All in favor, motion carried

Meeting adjourned at 6:55pm.

Chairman

Kristy Irwin Low
Clerk

