SUPERVISOR OF ASSESSMENTS AND
PLANNING & ZONING COMMITTEE
of the
OGLE COUNTY BOARD

SUPERVISOR OF ASSESSMENTS AND PLANNING & ZONING COMMITTEE REPORT APRIL 10, 2012

The regular monthly meeting of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board will be held on Tuesday, April 10, 2012 at 1:00 P.M. the Old Ogle County Courthouse, Third Floor County Board Room #317, 105 S. Fifth St., Oregon, IL.

The Order of Business is as follows:

1. ROLL CALL AND DECLARATION OF A QUORUM

   Chairman Jim Barnes called the meeting to order at 1:03 P.M. Roll call indicated seven members of the Committee were present: Chairman Barnes, Marcia Heuer, Larry Boes, Mel Messer, Bill Welty, Lyle Hopkins and Dennis Williams.

   Chairman Barnes re-instated Mr. Welty as Committee Chairman.

2. READING AND APPROVAL OF REPORT OF MARCH 13, 2012 MEETING AS MINUTES

   Chairman Welty asked for a motion regarding the report of the March 13, 2012 regular meeting. Mrs. Heuer made a motion to approve the report of March 13, 2012 as minutes; seconded by Mr. Messer motion carried by a voice vote.

SUPERVISOR OF ASSESSMENTS PORTION OF MEETING:

3. CONSIDERATION OF MONTHLY BILLS OF SUPERVISOR OF ASSESSMENTS, AND ACTION

   Monthly bills of the Supervisor of Assessments were presented to the Committee for consideration. The bills totaled $4,113.59. Mr. Boes made a motion to approve the payment of the bills in the amount of $4,113.59; seconded by Mr. Williams. The motion carried by a voice vote.

4. OLD BUSINESS

   Mr. Harrison informed the Committee that final approval from the IL Dept. Of Revenue for the 2011 assessments had been received, allowing the County Clerk to start calculating tax rates. This came about two weeks later than last year, due to changes with the Board of Review. Discussion ensued regarding the number of appeals filed and hearings held.

5. NEW BUSINESS

   Mrs. Heuer suggested that at next month's meeting the Committee discuss the Board of Review salaries, as it would appear they will have to deal with an appeal of the Exelon property.

PLANNING & ZONING PORTION OF MEETING:

6. UNFINISHED BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

There was no new business for discussion or consideration.

NEW BUSINESS

A. DECISIONS (CONSIDERATION AND POSSIBLE ACTION)

There were no decisions for consideration.

B. MOBILE HOME APPLICATIONS - (CONSIDERATION AND POSSIBLE ACTION)

Request of Arthur & Wanda Willstead, PO Box 88, Woosung, IL for an extension of Special Use Permit #2-98SU (Mobile Home #24-98AG) -- One year extension approved March 8, 2011.
Common Location: 6712 S. China Rd..

Mr. Willstead was present and explained he is in the process of dismantling the mobile home but will be unable to get it completed by the permit expiration date of May 1st. Discussion ensued.

Mr. Hopkins made a motion to allow a six month extension; seconded by Mr. Messer. Motion carried via voice vote. Chairman Welty stated the six month extension will begin today.

7. SUBDIVISION PLATS (CONSIDERATION AND POSSIBLE ACTION)

There were no subdivision plats for consideration.

8. CONSIDERATION OF MONTHLY BILLS OF PLANNING & ZONING DEPARTMENT, AND ACTION

Monthly bills of the Planning & Zoning Department were presented to the Committee for consideration. The bills totaled $236.15. Mrs. Heuer made a motion to approve the payment of the bills in the amount of $236.15**;** seconded by Mr. Williams. The motion carried by a voice vote.

9. REFERRAL OF NEW PETITIONS TO THE ZONING BOARD OF APPEALS FOR PUBLIC HEARING

#1-12 SPECIAL USE - Brian & Jodi Horner, 3261 S. Daysville Rd.., Oregon, IL for a Special Use Permit to allow a recreational facility which will include wedding receptions, banquets, business parties and special events in the AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of the N1/2 of Section 23 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 15.88 acres, more or less
Property Identification Number: Part of 16-23-200-003
Common Location: 3261 S. Daysville Rd..

#1-12 AMENDMENT -J. Pease Construction Co., Inc. Profit Sharing Trust, 5435 Bull Valley Rd.., Ste.130, McHenry, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to R-1 Rural Residence District on property described as follows and owned by the petitioner:

Part of the SE1/4 of the NE1/4 and part of the NE1/4 of the SE1/4 of Section 14 Byron Township 25N, R10E of the 4th P.M., Ogle County, IL, 20.0 acres, more or less
Property Identification Number: Part of 04-14-200-002
Common Location: 10400 Block of N. Hoisington Rd.

#2-12 SPECIAL USE - Amy & Todd Branham, 8613 N. Limestone Rd.., Rockford, IL for a Special Use Permit to allow an equine-assisted counseling and equine psychotherapy facility; and horse riding instruction (lessons) in AG-1 Agricultural District on property described as follows and owned by the petitioners:

Part of E1/2 GL1SE1/2 of NE1/4 of Fractional Section 5 and part of W1/2 GL1 S1/2 of NW1/4 Fractional Section 4 Monroe Township 42N, R2E of the 3rd P.M., Ogle County, IL, 11.03 acres, more or less
Property Identification Number: 12-05-200-023 & 12-04-100-004
Common Location: 8613 N. Limestone Rd.

#2-12 AMENDMENT - Larry Pontnack, 6309 E. Brick Rd.., Oregon, IL for an Amendment to the Zoning District to rezone from AG-1 Agricultural District to I-1 Industrial District on property described as follows and owned by the petitioner:

Part of Lot 2 of the subdivision of GL 4 and GL 5 of the NW1/4 Fractional Section 3 Pine Rock Township 23N, R11E of the 4th P.M., Ogle County, IL, 8.0 acres, more or less
Property Identification Number: Part of 17-03-100-008
Common Location: 6309 E. Brick Rd.

#3-12 SPECIAL USE - Larry Pontnack, 6309 E. Brick Rd.., Oregon, IL for a Special Use Permit to allow storage of antique/old automobiles and parts thereof in the I-1 Industrial District on property described as follows and owned by the petitioner:

Part of Lot 2 of the subdivision of GL 4 and GL 5 of the NW1/4 Fractional Section 3 Pine Rock Township 23N, R11E of the 4th P.M., Ogle County, IL, 8.0 acres, more or less
Property Identification Number: Part of 17-03-100-008
Common Location: 6309 E. Brick Rd.

#1-12 VARIATION - Jeremy L. Coulthard, 9385 N. Brookville Rd.., Shannon, IL for a Variation to allow 1) construction of an additional accessory building to exceed the maximum accessory building area due to parcel size; and 2) allow an accessory building height to be 18.5' in lieu of 18' as required pursuant to Section 6.06 of the *Ogle County Amendatory Zoning Ordinance* on property described as follows and owned by the petitioner:

Part of the NW1/4 of the SW1/4 of Section 22 Forreston Township 25N, R7E of the 4th P.M., Ogle County, IL, 4.03 acres, more or less
Property Identification Number: 01-22-300-005
Common Location: 9385 N. Brookville Rd.

#2-12 VARIATION - Jeff Becker, 12517 N. Bluff Rd.., Baileyville, IL for a Variation to allow 1) construction of grain bins approximately 20' from the right-of-way line of W. Green Rd... in lieu of 40' as required; and 2) 0' from the easterly side property line in lieu of 15' as required pursuant to the *Ogle County Amendatory Zoning Ordinance* on property described as follows and owned by the petitioner:

Part of the SW1/4 of the SE1/4 of Section 3 and part of the NW1/4 of the NE1/4 of Section 10 Maryland Township 25N, R8E of the 4th P.M., Ogle County, IL, 6.69 acres, more or less
Property Identification Number: 02-10-200-016
Common Location: 11280 W. Green Rd.

Mrs. Heuer made a motion to refer the above new requests to the Zoning Board of Appeals for public hearing; seconded by Mr. Barnes. The motion carried by a voice vote.

10. OTHER BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

Request of Beverly Kearns, 4938 S. Scout Rd.., Oregon, IL for a Committee determination that the division of PIN 22-12-200-002 into two (2) lots (with one lot being approximately 1.0 acre in area and below the minimum lot size of 2.0 acres pursuant to the R-2 Single-Family Residence District regulations and below 80% of the minimum lot size requirement for a variation of lot size) qualifies for a variation pursuant to the "Exceptionally Unique Circumstance" provision of Section 9.06, Paragraph E. of the *Ogle County Amendatory Zoning Ordinance*.

Common Location: 7082 S. Hoosier Rd.
PIN# 22-12-200-002

Mr. Welty asked for clarification. Mr. Reibel provided a map of the site to the Committee members depicting the subject parcel and a proposed subdivision into two lots of 1.04 acres in area and 1.61 acres in area. Mr. Reibel explained that the Kearns have a 3.07 acre parcel with two houses, zoned R-2 Single-Family Residence District. Mr. & Mrs. Kearns would like to subdivide the parcel into two lots, with a house on each lot as depicted in the map; however, due to the location of the two dwellings and the minimum lot requirement for R-2 Single-Family Residence District, which is two acres, this is not possible. It is also not possible to request a variation of lot size, as the Zoning Ordinance allows lot size to be varied up to 80% of the minimum required lot size, which in this case would be 1.6 acres. In order for Mr. & Mrs. Kearns to be able to subdivide the parcel so that each house is on its own lot, the Committee would need to determine that this is an exceptionally unique circumstance pursuant to Section 9.06, Paragraph E. of the *Ogle County Amendatory Zoning Ordinance*. If the Committee makes such a determination, Mr. & Mrs. Kearns can make application to the Zoning Board of Appeals for a variation of lot size. If the ZBA grants the variation, they would then need to apply for subdivision plat approval, which would come before this Committee.

Mr. & Mrs. Kearns were present and gave a brief history of the site. Discussion ensued

Mr. Reibel recommended to the Committee that a determination be made that this situation is "exceptionally unique". Mr. Messer agreed that this is an exceptionally unique circumstance and made a motion to allow the Kearns to apply for a Variation of lot size; seconded by Mr. Boes. The motion carried by a voice vote.

11. PUBLIC COMMENT

Mr. Kelly Cryer was present representing the Rock River Riders Association. He stated they wish to put up a storage building to cover their well and to store their lawn equipment. Due to the new state law regarding commercial buildings, they are required to obtain signed and sealed plans and have final inspection by an approved inspector. He would like to have the Committee allow him to construct the building without these requirements. Mr. Reibel explained the new State law and how it applies to this property. Discussion ensued. The Committee agreed that the construction of the building must meet the State requirements.

Mr. Barnes stated the Committee is invited to an open house at the Rock River Center on 10th Street this Saturday, April 15 from noon to 4:00 P.M.

12. APPOINTMENT TO THE OGLE COUNTY REGIONAL PLANNING COMMISSION AND OGLE COUNTY ZONING BOARD OF APPEALS

A. CLOSE MEETING PURSUANT TO 5 ILCS 120/2 (c)(3) (OPEN MEETINGS ACT) TO INTERVIEW AND DISCUSS CANDIDATES FOR APPOINTMENT TO THE OGLE COUNTY REGIONAL PLANNING COMMISSION AND OGLE COUNTY ZONING BOARD OF APPEALS

Mr. Barnes made motion to close the meeting pursuant to 5 ILCS 120/2 (c)(3) (Open Meetings Act) to interview and discuss candidates for appointment to the Ogle County Regional Planning Commission and Ogle County Zoning Board of Appeals; seconded by Mrs. Heuer. Motion carried unanimously by a roll call vote. The meeting was closed at 1:50 P.M.

B. COMMITTEE RECOMMENDATION(S) ON APPOINTMENT TO FILL VACANCIES ON THE REGIONAL PLANNING COMMISSION AND ZONING BOARD OF APPEALS

The Committee re-entered open session at 3:56 P.M.

Mr. Welty opened the floor to nominations for appointment to the Zoning Board of Appeals.

Mr. Hopkins moved to nominate Mr. Hayes for appointment to the Zoning Board of Appeals as a regular member; the motion was seconded by Mr. Messer. Mr. Welty called for a roll call vote, the vote being as follows: Williams - No; Boes - No; Barnes - No; Messer - Yes; Heuer - Yes; Hopkins - Yes; Welty - No. The motion was defeated by a vote of 3 in favor, and 4 opposed.

Mr. Williams moved to nominate Mr. Probasco for appointment to the Zoning Board of Appeals as a regular member; the motion was seconded by Mr. Barnes. Mr. Welty called for a roll call vote, the vote being as follows: Boes - Yes; Barnes - Yes; Messer - Yes; Heuer - No; Hopkins - No; Williams - Yes; Welty - Yes. The motion carried by a vote of 5 in favor, and 2 opposed.

Mr. Hopkins moved to nominate Mr. Soderholm for appointment to the Zoning Board of Appeals as an alternate member; the motion was seconded by Mr. Williams. Mr. Welty called for a roll call vote, the vote being as follows: Boes - Yes; Barnes - Yes; Messer - Yes; Heuer - Yes; Hopkins - Yes; Williams - Yes; Welty - Yes. The motion carried unanimously.

Mrs. Heuer moved to nominate Mr. Funk for appointment to the Regional Planning Commission; the motion was seconded by Mr. Boes. Mr. Welty called for a roll call vote, the vote being as follows: Boes - Yes; Barnes - Yes; Messer - Yes; Heuer - Yes; Hopkins - Yes; Williams - Yes; Welty - Yes. The motion carried unanimously.

Mr. Hopkins moved to nominate Mr. Considine for appointment to the Regional Planning Commission; the motion was seconded by Mr. Barnes. Mr. Welty called for a roll call vote, the vote being as follows: Boes - Yes; Barnes - Yes; Messer - Yes; Heuer - Yes; Hopkins - Yes; Williams - Yes; Welty - Yes. The motion carried unanimously.

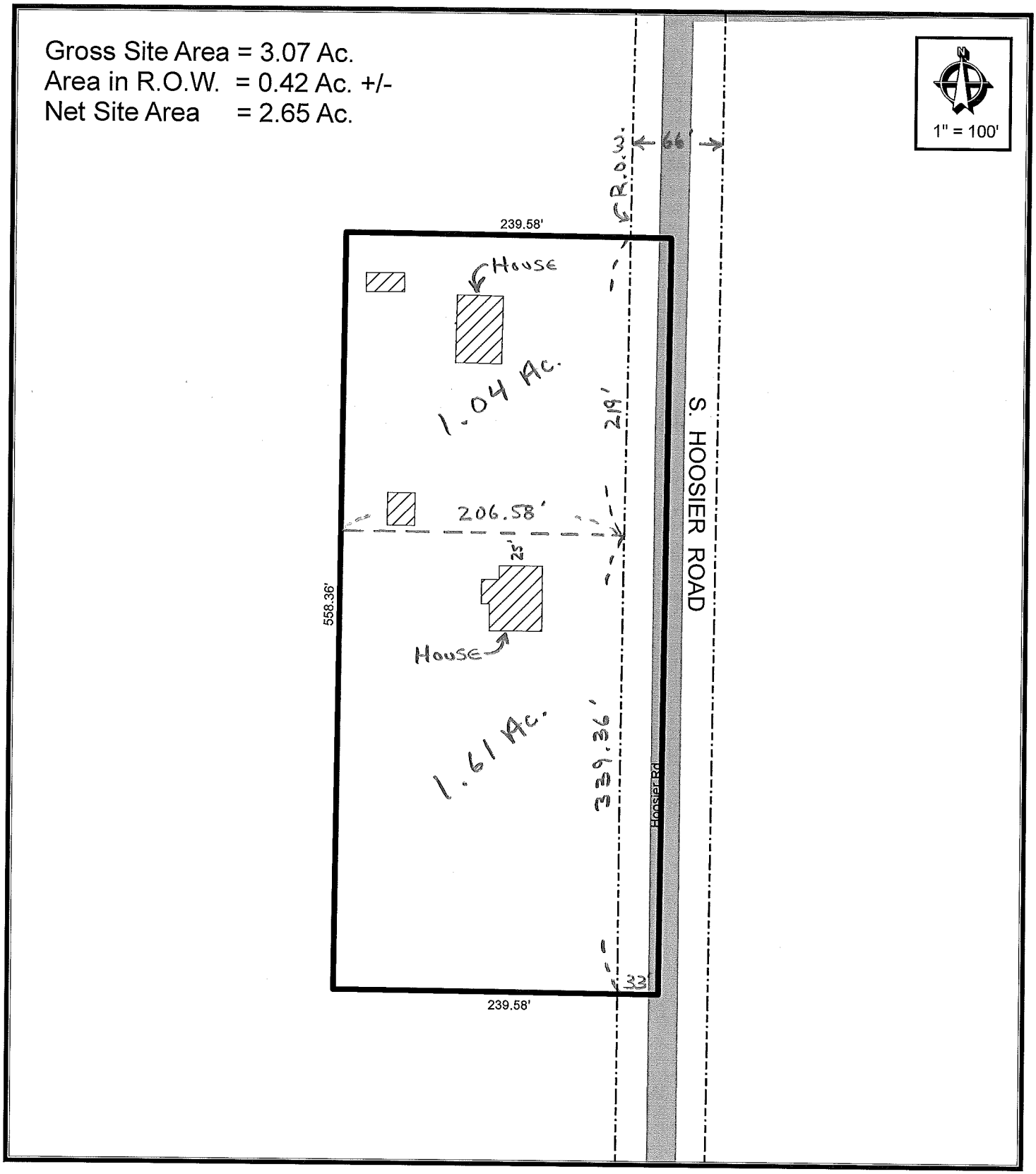
13. ADJOURN

Mrs. Heuer moved to adjourn the meeting; the motion was seconded by Mr. Messer. The motion carried by voice vote.

The regular monthly meeting of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board adjourned at 4:02 P.M. The next meeting of the Supervisor of Assessments and Planning & Zoning Committee is scheduled for Tuesday, May 8, 2012 at 2:00 P.M. at the Old Ogle County Courthouse, Third Floor County Board Room #317,105 S. Fifth St. Oregon, IL.

Respectfully submitted,

Michael Reibel
Planning & Zoning Administrator



SITE PLAN
Beverly Kearns, 4938 S. Scout Rd., Oregon, IL
Site Address: 7082 S. Hoosier Rd.
PIN 22-12-200-002