Ogle County Regional Planning Commission

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REGIONAL PLANNING COMMISSION REPORT
JANUARY 22, 2009

The regular monthly meeting of the Ogle County Regional Planning Commission was held on Thursday, January 22, 2009 in the County Board Room, Third Floor, Ogle County Courthouse, Oregon, IL.

The Order of Business is as follows:

1. ROLL CALL AND DECLARATION OF A QUORUM.

Chairman Funk called the meeting to order at 7:00 P.M. Roll call indicated six members of the Regional Planning Commission were present: Chairman Lloyd Funk, Paul White, Randy Ocken, Don Conn, David Poole and Wayne Reising. Ron Colson was absent.

2. READING AND APPROVAL OF REPORT OF NOVEMBER 20, 2008 AS MINUTES.

Chairman Funk asked for any changes or corrections to the report of the November 20, 2008 meeting of the Ogle County Regional Planning Commission. Hearing none, Chairman Funk declared the minutes approved as read.

3. UNFINISHED BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

There was no unfinished business for consideration.

4. NEW BUSINESS

A. DECISIONS (CONSIDERATION AND POSSIBLE ACTION)

#9-08 SPECIAL USE -- David & Paijit Ancona, 12488 E. Utility Rd., Davis Junction, IL for a Special Use Permit to allow a Small Rural Business (dumpster storage & rental/general hauling of non-hazardous materials including furniture, appliances, construction debris, etc.) in the AG-1 Agricultural District on property described as follows and owned the petitioners:

Part of the SE1/4 of the SW1/4 Section 15 Scott Township 42N, R1E of the 3rd P.M., Ogle County, IL, 5.0 acres, more or less
Property Identification Number: 11-15-300-003
Common Location: 12488 E. Utility Rd.

Mr. Reibel read the Staff Report. The Staff Report indicates that the existing land use is residential; all surrounding land is in agricultural use and zoned AG-1; the site is located within the 1.5 mile planning radius of the Village of Davis Junction and is designated as a “Secondary Growth Area” by the Village Comprehensive Plan; the Ogle County Amendatory Comprehensive Plan designates the site and surrounding area for continued agricultural use; the road providing access to the site is gravel-surfaced and under the jurisdiction of Scott Township; the soil type present on the site is 622B - Wyanette silt loam, 2-5% slopes, which is classified as “Prime Farmland”; the LESA score of indicates a low rating for protection (LE = 84.0; SA = 103).

The Staff Report recommends that following conditions:

1. All proposals and representations made by the applicant and/or their representative shall be conditions of the Special Use Permit, including, but not necessarily limited to, the installation of screening (6' high fence) as depicted and described on the Concept Plan submitted as part of the petition for Special Use Permit. Said fence/screening shall be installed within ninety (90) days of the approval of this Special Use Permit.
2. There shall be no outside storage and/or accumulation of junk (as defined by the *Ogle County Amendatory Zoning Ordinance*), waste, inoperable and/or unlicenced motor vehicles, etc. on the site.
3. There shall be no storage on the site of dumpsters containing waste materials in excess of twenty-four (24) hours, provided any dumpster containing waste is completely covered or enclosed.
4. All dumpsters shall be stored within the area enclosed by fence/buildings and out of view from the public road at all times.

A letter from the County Highway Department indicates they have no comments regarding this request. IDNR found no record of State-listed threatened or endangered species in the vicinity of the project location.

Mr. & Mrs. Ancona were present. Mr. Ancona stated he has been in the dumpster business for seventeen years. He now understands that a special use permit is required for him to continue running his business. He explained that there are several businesses operating in the area including the Orchard Hills Landfill and Gensler Gardens which have dumpsters on the site. He explained that his dumpsters are currently stored on a concrete slab. He stated that during the summer months most of the dumpsters are being used and are off the site but winter is slower so more are being stored during that time. He explained how he will be enclosing the area where the dumpsters are being stored with a 6' high wood fence. He stated that he currently serves customers in both Winnebago and Ogle County and purchases his diesel at the gas station located at Route 72 and Route 251. He feels that he pays taxes and puts money back into Ogle County.

Mr. Poole clarified that Mr. Ancona has had the dumpsters for a number of years, which Mr. Ancona confirmed.

Mr. Funk asked for clarification on what will be done with the dumpsters. Mr. Ancona responded that he will pickup the full dumpsters take the contents to the Orchard Hills Landfill and bring them back to his property and that his truck will be the only one coming in and out of the site.

Mr. Funk questioned what will be done with other larger trash items such as furniture. Mr. Ancona clarified that he takes in no chemicals and that larger items will be disposed of at the landfill within two days.

Mr. Conn asked Mr. Reibel if a time limit could be put on the special use to better monitor the impact of the business on the residential growth in the area. He suggested a renewal every five years. Mr. Reibel stated that a time limit can be place on the Special Use Permit. Mr. White responded that he doesn't want to see Mr. Ancona pay more fees by renewing the permit every five years. Mr. Reibel stated that he could talk to the State's Attorney and see if the County Board could delegate authority to the Planning & Zoning Committee to review the permit and decide if it could be renewed or if a public hearing would need to be held. The members agreed.

Mr. Reising expressed concern that construction debris, appliances and etc. could be on the site. He stated that he feels this is open ended and questioned if Mr. Ancona anticipated more than what was listed in the application. Mr. Ancona explained that the material he normally hauls comes from a customer moving and the materials that remain. Mr. Conn stated that the materials stay in the container while on the site and is never dumped there. Mr. Reising expressed concern that he has seen hogs thrown in a dumpster and that is something that neighbors wouldn't want on the site even overnight. Discussion ensued.

Mr. Ocken suggested that the time limit be set at ten years instead of five.

It was clarified that Davis Junction designates the property as a “secondary growth area”.

Mr. Reibel stated that he would recommend the renewal period set for every five years. He explained that Davis Junction is growing fast and it is easier to keep track of a case every five years as opposed to every ten.

Bob DeArvil, member of the Ogle County Board was present. He expressed concern of appliances being hauled to the property and leaking chemicals such as freon. Mr. Ancona responded that he generally doesn’t pick up large appliances of that type but if he does he has the equipment to remove and dispose of freon.

Mr. Conn made a motion to approve the #9-08 Special Use Permit for David & Paijit Ancona with the stipulation that it be reviewed every five years in a way that Mr. Reibel works out with the States Attorney and subject to the conditions as recommended in the Staff Report; Mr. Funk asked what would happen if the property is annexed into the Village of Davis Junction. Mr. Reibel responded that it would no longer be under the County’s jurisdiction; Mr. White seconded the motion to recommend approval. Mr. Funk called for a roll call, the vote being as follows: Mr. Conn - yes; Mr. Poole - yes; Mr. Ocken - yes; Mr. White - yes; Mr. Reising -yes; Mr. Funk - no. The motion carried by a vote of 5 in favor, 1 opposed.

5. OTHER BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

2009 Meeting Resolution

The 2009 Meeting resolution of the Regional Planning Commission was presented to the Committee for consideration.

Mr. Conn made a motion to approve the 2009 meeting resolution; seconded by Mr. Ocken. The motion carried by a voice vote.

6. PUBLIC COMMENT

There was no public comment.

7. ADJOURN

Chairman Funk declared the meeting adjourned at 7:22 P.M. The next meeting of the Ogle County Regional Planning Commission will be February 19, 2009 in the County Board Room, Third Floor, Ogle County Courthouse, Oregon, IL.

Respectfully submitted,

Michael Reibel
Zoning Administrator