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

SUPERVISOR OF ASSESSMENTS AND
PLANNING & ZONING COMMITTEE REPORT
JUNE 10, 2009

The regular monthly meeting of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board was held on Wednesday, June 10, 2009 at the Ogle County Sheriff's Department, Training Room, 103 Jefferson St., Oregon, IL.

The Order of Business is as follows:

1. ROLL CALL AND DECLARATION OF A QUORUM

   Chairman Lyle Hopkins called the meeting to order at 1:00 P.M. Roll call indicated six members of the Committee were present; Chairman Lyle Hopkins, Ben Diehl, Mel Messer, Larry Boes, Dennis Williams, Jim Barnes. Marcia Heuer arrived and joined the meeting at 1:05 P.M.

2. READING AND APPROVAL OF REPORT OF MAY 13, 2009 MEETING AS MINUTES

   Mr. Boes made a motion to approve the report of May 13, 2009 as minutes; seconded by Mr. Messer. The 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 $588.30. Mr. Messer made a motion to approve the payment of the bills in the amount of $588.30; seconded by Mr. Diehl. The motion carried by a voice vote.

4. OLD BUSINESS

   Mr. Harrison stated the Farmland Assessment Review Committee met on June 2. This Committee is charged with reviewing the Illinois Department of Revenue's proposed farmland assessments, and soliciting public input as required by statute.

5. NEW BUSINESS

   Mr. Harrison stated I would like to put a plug in for the maintenance staff and all they have done to accommodate our needs with the move to Mt. Morris. We have been very satisfied with all they have done.

PLANNING & ZONING PORTION OF MEETING:

6. UNFINISHED BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

   There was no unfinished business for consideration.

7. NEW BUSINESS

A. DECISIONS (CONSIDERATION AND POSSIBLE ACTION)

There were no decisions for consideration.

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

#3-09MH -- Request of Elizabeth Tepinski, PO Box 232, Sycamore, IL for the temporary use of a Mobile Home and Recreational Vehicle for dwelling purposes during re-construction of fire-damaged Dwelling

Part of the N1/2 of the SE1/4 Section 2, White Rock Township 41N, R1E of the 3rd P.M., Ogle County, IL, 5.10 acres, more or less
Property Identification Number: 18-02-400-002
Common Location: 2312 N. IL Hwy. 251, Rochelle, IL 61068

Mrs. Tepinski was present. Mr. Reibel gave background information regarding this request. The original permit for the temporary placement of a mobile home for housing during construction of a fire damaged dwelling was granted November 2007 subject to the following stipulations: 1) Mobile home used for storage shall be placed out of sight on or before December 15, 2007; 2) No inoperable/unlicensed vehicles shall be stored outside: 3) Installation of septic system shall be completed and approved by the Ogle County Health Department on or before December 15, 2007; 4) Permit is valid for one (1) year and shall expire on November 15, 2008. To date, these conditions have not been met and this file has been forwarded to the States Attorney's office for prosecution. Mrs. Tepinski is here today asking permission to utilized the mobile home and recreational vehicle that are on the site for dwelling purposes.

Mrs. Tepinski stated I just got off work and have not slept for 26 hours so I apologize for being late. I am trying to rectify the situation. The fire has been a traumatic experience. I am the only one that supports the family of five children who I have custody of. Their parents are having a hard time in their marriage and the well being of the family is in jeopardy. We are doing the best we can. I want to rebuild and satisfy the requirements of Ogle County. My grandchildren live in the mobile home and do not have room to move or hot water. I am awaiting an insurance settlement for a car accident that I was in which made me unable to work for eight months, delaying any work that I could also do to the property. I don't know how soon this money will be coming. We have been cleaning up the cars, they are not sitting outside. My son does have to pull some out to get to one he is going to work on. It is a slow process.

Mr. Boes asked did you own the property when it caught on fire? Mrs. Tepinski answered my son and his friend were purchasing the property, but they lost their business and could not continue making payments on the property, so I took over. At the time of the fire, it had been on contract for a few months and I was making the payments & taxes, etc. I am in process of getting a mortgage, but because of the car accident and me being out of work for eight months, the bank is telling me that we need more time to show that I am working before this can be done. Mr. Barnes asked where do you live now? Mrs. Tepinski answered I live at work. I have not had a day off since April. Mr. Barnes asked where do the children live? Mrs. Tepinski answered in the mobile home that is on the property.

Mr. Barnes stated am I to understand that they did not come in compliance with the conditions required in their first request from 2007? Mr. Reibel answered yes. They were to store all the vehicles and related parts inside the building, put the other RV in a building and install a septic system to serve the mobile home. This has not been done. There are quite a few cars, possibly 20 to 30 cars with parts and related materials still open to the view. Mrs. Tepinski stated the cars have been moved to a location that can not be seen from the road.

Mr. Messer made a motion that we can take no action on this request since it is already with the States Attorney with a hearing pending. We need to see what the Judge declares as a solution.

Mr. Hopkins asked how old are the grandkids? Who looks after them while you are at work? Mrs. Tepinski answered the oldest grandchild just graduated from Kings grade school with awards. Mr. Reibel stated her son, Art, and his wife live in the mobile home with the children. Mrs. Tepinski lives in the RV. Mrs. Tepinski stated my belongings are in the RV but I do not live there. I am at work all the time. Mr. Hopkins asked does your son work? Mrs. Tepinski answered no. He is having a hard time. Also, the septic is partially in but I did not have the money to pay to have it finished. Mr. Hopkins asked did you receive any insurance money? Mrs. Tepinski answered I was

told that I did not need to have insurance since the person I was purchasing the property from on contract had insurance, and if I did, it would not be valid since I do not yet own the property. I realize that I was told wrong and should have gotten renters insurance for my personal property. The property owner negotiated with the insurance company and applied the settlement towards the purchase contract.

Mr. Hopkins stated I agree with Mr. Messer. We need to wait to see what happens with the State's Attorney. Mr. Reibel stated the hearing date is set for August. This is a civil suit seeking compliance. If the Committee approves the RV then they would be in compliance with that part of the suit. Mr. Barnes stated there are several things that need to be done to come into compliance. Mr. Reibel answered there are two matters: the junk cars and the mobile home and RV being used without permits. If she gets in compliance with the mobile home and RV, that portion of the suit will be dropped.

Mr. Barnes asked if there are 20 to 30 cars there, are they running a junk yard? Mrs. Tepinski answered my son ran an autobody business. The cars are his and he is working on them when he can afford to. Mr. Barnes stated he can junk them out. Mrs. Tepinski stated scrapping them out would only get $100 per car, but if they are fixed up, they could get a lot more. Mr. Barnes stated if you son is not working, then he has plenty of time to be taking care of this. Mr. Boes stated we need to get specific dates from you for when you will be in compliance with the conditions originally given. Mrs. Tepinski stated it is difficult to be specific as I am waiting for money and such. Mr. Hopkins stated the consensus is that there has to be some action done, especially regarding the cars.

Ms. Sherry Mensching was present. She stated that I am neighbor that lives near this property and I drive by this property two times a day. She passed out a letter to the Committee members for review. The letter stated that for the past two years she has watched this beautiful homestead turn into an eyesore with the collection of junk cars, trailers and a berm made from unclean fill. These people have been given ample opportunity to rebuild the burned house and they have done nothing. I believe they have no intention of doing so and are simply circumventing and abusing the county laws.

Mrs. Harriet Goeken, an adjoining property owner, was present. She stated I have a letter signed by the surrounding neighbors who have objections and concerns about this property. The letter was given to Chairman Hopkins. Mrs. Goeken stated this place used to be a beautiful farmstead and it has gone completely down hill. When they moved in, they put up a chain that prevents us from getting to our farm property. We are getting nowhere.

Mrs. Tepinski stated I strongly object. This is not being done intentionally. The berm is being taken care of and I have some beautiful trees to put on the line. The cars are not outside. If they are, it is only occasionally. We can have one car for sale on the property. If doesn't sell, it sits there. That is not breaking the law. As far as Mrs. Goeken is concerned, we started a feud the first day we moved in regarding the easement. The farmer wanted to use the drive into the property for a turnaround for farm equipment. We put up a chain for the protection of the children and to show that we do not want people driving onto our property.

Mr. Barnes asked is the burnt house still standing? Mrs. Tepinski answered yes. Mr. Barnes asked when was the fire? Mrs. Tepinski answered March 15, 2007. Mr. Barnes asked where does the guy that you are buying this property from live? Mrs. Tepinksi answered St. Charles.

Mr. Hopkins asked can we postpone a decision for 30 days to see if they take some action. I understand you have had some unfortunately circumstances, but you have to help yourself. Your son is not working and he will have to make a sacrifice regarding getting rid of the vehicles. And I know that this can be done in a 30 day period;

Mrs. Tepinksi stated I bought a tractor to take care of the berm. Mr. Barnes asked what was the berm put in for? Mr. Tepinski answered to help with the snow. We were getting snowed in.

Mr. Barnes asked whose name are the complaints being sent to? Mr. Reibel answered Mrs. Tepinski, her son Art and the property owner, Peter Vasilakos. There are health code issues regarding running water and the septic system. Mr. Messer stated they are living in a trailer without a septic. Mrs. Tepinski stated we have a tank now but there is no field installed. Mr. Reible asked what size is the tank? Do you have it pumped? Mrs. Tepinski answered it is 1500 gallon tank. Mr. Reibel stated it should be pumped frequently with eight people using it.

Ms. Mensching stated when we got our permit to build, we were allowed to have a temporary trailer on site. It was a new trailer, very nice, but it was very hard to get rid of once the house was built. Getting rid of these trailers is not going to be easy.

Mr. Reibel stated one thing that is not clear is why there has been no movement towards re-building and making these necessary improvements, since the insurance issue has been settled. Mrs. Tepinski stated I do not enough money at this time. I am waiting for money from the car accident.

Mr. Williams stated in order to make things right, she has to come into compliance This is a pretty generous Committee and we sympathize with you but we were pretty explicate with the conditions placed on your request from two years ago. You need to show action and get things cleaned up in 30 days. If son is not working, he can make a good faith effort to do these things and work on becoming a better neighbor. Mr. Barnes stated it has been two years and nothing has been completed. That is way to long. And with the son not working, I can not see why they are not in compliance. Mr. Boes stated we are hearing excuses but seeing no action. All the junk could be gone and the house leveled by next week. Mr. Tepinski stated this takes money. Mrs. Harriet Goeken stated the Tepinski's are using the kids for everything they do or don't do. You should take a field trip out there to see exactly what is going on.

Mr. Messer stated we should make no decision on this request until a Judge has decided the action to take. Mr. Hopkins asked do we have a second to this motion? The motion failed due to lack of a second.

Mr. Barnes made a motion to deny this request. Two years has been plenty of time and nothing has been done. We all have gone through hard times but enough is enough. Seconded by Mr. Williams. Mr. Hopkins asked for a roll call vote, the vote being as follows: Heuer - yes, Messer - yes, Boes - yes, Barnes - yes, Hopkins - yes, Diehl - yes, Williams - yes. The motion carried by a roll call vote of 7-0.

8. SUBDIVISION PLATS (CONSIDERATION AND POSSIBLE ACTION)

There were no subdivision plats for consideration.

9. 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 $1,339.95 . Mrs. Boes made a motion to approve the payment of the bills in the amount of $1,339.95; seconded by Mr. Barnes. The motion carried by a voice vote.

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

#3-09 AMENDMENT -- Edward & Karen Giese, 1220 S. Gale Rd., Oregon, 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 petitioners:

Part of the NE1/4 Section 7 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 4.28 acres, more or less
Property Identification Number: 16-07-200-023
Common Location: 1220 S. Gale Rd.

#7-09 VARIATION -- Fasco Holding, Inc., %Richard Zimmerman, PO Box 170, Mendota, IL and ADM Grain Co., %Jeff Mauck, PO Box 350, Mendota, IL for a Variation to allow a grain bin to be constructed 43'4" from the right-of-way line of E. IL Rte. 38 in lieu of 80' as required pursuant to the *Ogle County Amendatory Zoning Ordinance* on property described as follows, owned by Fasco Holding, Inc. and being leased by ADM Grain Co. :

Part of the SW1/4 of the SE1/4 Section 14 Dement Township 40N, R2E of the 3rd P.M., Ogle County, IL, 9.60 acres, more or less
Property Identification Number: 25-14-400-007
Common Location: 19560 E. IL Rte. 38

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

11. OTHER BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

Mr. Reibel stated I am expecting to receive a Special Use Permit petition from Navitas in August for a wind farm project. ZBA hearings would likely begin in September. This project is in the Byron/Leaf River/Seward area involving Stephenson, Winnebago and Ogle Counties. There is also another request in the works for a smaller site on the Gensler property north of IL Route 64 and west of IL Route 251. Mrs. Betty Goecken asked if the Navitas project is the same location as the Baileyville wind farm request? Mr. Reibel answered no, this is a new project that is east of the Baileyville wind farm project area.

12. PUBLIC COMMENT

There was no public comment.

13. ADJOURN

The regular monthly meeting of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board adjourned at 2:04 P.M. The next meeting of the Supervisor of Assessments and Planning & Zoning Committee is scheduled for July 15, 2009 at 1:00 P.M.

Respectfully submitted,

Michael Reibel
Planning & Zoning Administrator