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

SUPERVISOR OF ASSESSMENTS AND PLANNING & ZONING COMMITTEE REPORT MARCH 11, 2009

The regular monthly meeting of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board was held on Wednesday, March 11, 2009 in the Ogle County Sheriff 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 seven members of the Committee were present; Chairman Lyle Hopkins, Larry Boes, Ben Diehl, Dennis Williams, Mel Messer, Marcia Heuer and Jim Barnes.

2. READING AND APPROVAL OF REPORT OF FEBRUARY 11, 2009 MEETING AS MINUTES

   Mr. Boes made a motion to approve the report of February 11, 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 $2,859.90. Mr. Barnes made a motion to approve the payment of the bills in the amount of $2,859.90; seconded by Mr. Diehl. The motion carried by a voice vote.

Postage, publication of assessments in various local newspapers

4. OLD BUSINESS

   Mr. Harrison stated the Board Review has completed its work for 2008. Assessments have been totaled for the year and report totals sent to the Illinois Department of Revenue for their approval to begin preparing real estate tax bills.

5. NEW BUSINESS

   Mr. Harrison stated Ed Rice, John Coffman, Becky Huntley and I went to Mt. Morris to go over space issues for the temporary location of County offices at the “Watt” building.

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)

No new business for consideration.

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

No mobile home applications for consideration.

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 $616.20. Mr. Messer made a motion to approve the payment of the bills in the amount of $616.20; seconded by Mr. Diehl. The motion carried by a voice vote.

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

#1-09 SPECIAL USE - Eswood School District #269, %Dwight Mayberry, Superintendent, 304 N. Main St., Lindenwood, IL to allow a private wind energy conversion system in the R-2 Single-Family Residence District on property described as follows and owned by the petitioner:

S 25' Lot 4, Lots 5&6, and part of vacated Galena St., Block 6 Lynnville (Original Town); and Lots 1-5 Block 2 Perry's Addition; and a 3.58 acre westerly adjoining parcel; all part of the SW1/4 Section 5 Lynnville Township 41N, R2E of the 3rd P.M., Ogle County, IL
Property Identification Number: 19-05-326-001, -011, & -015
Common Location: 304 N. Main St.

#1-09 AMENDMENT - Mark & Stacey Glendenning, 2796 E. Orchid Lane, Oregon, IL for an Amendment to the Zoning District to rezone from R-2 Single-Family Residence District to IA Intermediate Agricultural District on property described as follows and owned by the petitioners:

Tract "A", being part of Lot Three (3) of the Subdivision of Sections 10 & 15, part of the NW1/4 NW1/4 Section 15 Oregon-Nashua Township 23N, R10E of the 4th P.M., Ogle County, IL, 15.09 acres, more or less
Property Identification Number: 16-15-100-010
Common Location: 2100 Block of S. IL Rte. 2

#1-09 VARIATION - Mike Greenfield, 9750 Mt. Vernon Rd., Forreston, IL, for a Variation to allow construction of two (2) grain bins; one being constructed 36' from the right-of-way line of W. Harper Rd. and the other being constructed 29' from the right-of-way line of W. Harper Rd. in lieu of 40' as required pursuant to the Ogle County Amendatory Zoning Ordinance on property described as follows and owned by the petitioner:

Part of the NE1/4 NE1/4 Section 26 Forreston Township 25N, R7E of the 4th P.M., Ogle County, IL, 4.74 acres, more or less
Property Identification Number: 01-26-200-003
Common Location: 8982 N. Mt. Vernon Rd.

#2-09 VARIATION - Mark E. & Marcia M. Wittwer, 34332 W. Countyline Rd., Monroe Center, IL and Natural Gas Pipeline Company of America, LLC, %George V. Podolski, PO Box 2427, Joliet, IL for a Variation to allow a pressure regulating equipment building on an existing natural gas pipeline to be constructed 8' from the right-of-way line of E. Kingsbury Rd. and 38'10" from the right-of-way line of N. East Line Rd. in lieu of 40' as required pursuant to the Ogle County Amendatory Zoning Ordinance on property described as follows, owned by Mark E. & Marcia M. Wittwer and being partially occupied via pipeline right-of-way by Natural Gas Pipeline Company of America, LLC:

Part of the NW1/4 NW1/4 Section 13 Monroe Township 42N, R2E of the 3rd P.M. Ogle County, IL, 20 acres, more or less
Property Identification Number: 12-13-200-005
Common Location: SW corner of East Line Rd. & E. Kingsbury Rd.

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 interviews for the expired Regional Planning Commission and Zoning Board of Appeals positions will be next month. At this time, the only applications received are for those members whose term is expiring. If there are no other applicants, do we still want to have interviews? Mr. Hopkins stated it really is not necessary if no one else applies. Mr. Messer asked if there is only one applicant, can they be turned down? Mr. Hopkins answered there are no guidelines. Mrs Heuer stated I checked with the United County Counsels of Illinois and an applicant can be denied a position if they do not meet criteria. Discussion ensued. Mr. Boes asked were the openings posted? Mr. Reibel answered yes.

Mr. Reibel stated we are monitoring the river pretty closely for any flood damage. As a flood plain administrator, I have to do floodplain damage estimates letting the property owner know that if up to 50% of the site is damaged, they can get money from FEMA to elevate the structure. This percentage is cumulative. The State of Illinois controls flood plain & flood way construction.

Mr. Reibel handed out information to the Committee members regarding a proposed pre-annexation agreement with the City of Byron and four (4) non contiguous sites currently under County jurisdiction. Three (3) of these sites do fall withing the mile and half jurisdiction, but the majority of site 4, is outside the mile and half area. I have been in discussion with Curtis Cook and have asked States Attorney Ben Roe for guidance. The land subject to the pre-annexation is subject to municipality control. The County Board can vote to retain jurisdiction of any parcel that is outside the mile and half area. The questions to Mr. Roe are: what exactly does “control and jurisdiction”mean...road maintenance, police jurisdiction? When a parcel is both inside and outside the mile and half, is the whole parcel subject to the ordinance control of the municipality or just the part that is inside the mile and half area? The County Board can vote to retain jurisdiction over the area outside the mile and half area. Does the Committee want to have this come before the County Board for a vote?

Discussion ensued regarding the intentions of the property owner, wells & septic systems

and road maintenance.

Mr. Reibel stated a pre-annexation agreement puts the proposed area under the jurisdiction of the municipality, everything inside the mile and half area. The pre-annexation agreement is in effect for 20 years and can be renewed if the property is not annexed during that time. If not annexed, the areas fall back into the County's jurisdiction. Discussion ensued regarding possible conflicts with what the municipality would allow to be built and what the County would allow.

Mrs. Heuer stated depending on what we hear from Mr. Roe, I would like to explore the possibility of the County retaining jurisdiction of the area outside the mile and half area. Mr. Hopkins stated we need to pursue our legal rights on what we can and can not do. Mr. Reibel stated hopefully by our next meeting, we will have that information. The County Board can not vote on this issue until the City of Byron has executed the pre-annexation agreement. The County Board would want to act quickly once that agreement is in effect to prevent future conflicts and prior to approval of development by the municipality. Mrs. Heuer stated the Executive Committee should submit a letter to the City of Byron informing them of our interest in the proposition. Discussion ensued. Mr. Hopkins stated I will bring this up at the Executive Committee meeting this afternoon.

Mr. Hopkins asked have you heard anything from Mr. Ancona regarding his Special Use permit request that was denied? Mr. Reibel answered Assistant States Attorney Scott Robinson and I will be meeting with Mr. Ancona to discuss this. Mr. Hopkins stated I was very disappointed with the way the voting went for this petition. We are supposed to support the decision made by the Zoning Board of Appeals and not let emotions influence our decisions. Unfortunately, in this case, I feel this did not happen. Mr. Ancona's personal habits were not a zoning issue. We have basically taken away a person's livelihood and I don't feel good about that.

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 1:42 P.M. The next meeting of the Supervisor of Assessments and Planning & Zoning Committee is scheduled for April 15, 2009 at 1:00 P.M.

Respectfully submitted,

Michael Reibel
Planning & Zoning Administrator