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

# SUPERVISOR OF ASSESSMENTS AND PLANNING & ZONING COMMITTEE REPORT MAY 13, 2009

The regular monthly meeting of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board was held on Wednesday, May 13, 2009 at 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 six members of the Committee were present; Chairman Lyle Hopkins, Ben Diehl, Mel Messer, Marcia Heuer, Larry Boes and Jim Barnes. Dennis Williams was absent.

2. READING AND APPROVAL OF REPORT OF APRIL 15, 2009 MEETING AS MINUTES

   Mr. Diehl made a motion to approve the report of April 15, 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 $630.21. Mr. Barnes made a motion to approve the payment of the bills in the amount of $630.21; seconded by Mrs. Heuer. The motion carried by a voice vote.

4. OLD BUSINESS

   Mr. Harrison stated that the Executive Committee will interview three Board of Review candidates for two expired, two-year terms on the Board.

5. NEW BUSINESS

   Mr. Harrison stated the Farmland Assessment Review Committee will meet for its annual public meeting/hearing on June 2, 2009 at 10:00 A.M. The Committee will consider and act on the Illinois Department of Revenue's proposed 2010 farm land assessments. Committee consists of DeWayne Adams, Ron Lewis, Shirley Bartelt, Jim Harrison and the Chairman of the Board of Review.

   Mr. Harrison stated the move of the Old Courthouse departments to the Watt building in Mt. Morris building went well and everyone is getting settled in.

*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)

**#2-09 Amendment -- Shirley M. Gentry, Trustee, 11380 W. Pines Rd., Polo, IL** for an Amendment to the Zoning District to rezone from R-2 Single-Family Residence District to B-1 Business District on property described as follows and owned by the petitioner:

Part of the E1/2 SW1/4 Section 10 Buffalo Township 23N, R8E of the 4th P.M., Ogle County, IL, 13.25 acres, more or less
Property Identification Number: 14-10-300-005
Common Location: 11512 W. Pines Rd.

Mr. Hopkins stated this really is a housekeeping issue. This land was zoned R-2 Single-Family Residence District in 1965 but there has always been a business on the site. This has been a good business with no complaints. Mrs. Heuer stated there were no objections from the City of Polo or Buffalo Township and was unanimously passed by the Regional Planning Commission and the Zoning Board of Appeals.

Mr. Messer moved to approve petition #2-09 Amendment for Shirley M. Gentry; seconded by Mr. Diehl. 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. The motion carried by a roll call vote of 6-0.

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

**#1-09MH - Request of Darlene Curcio-Elsbury, 606 N. Fourth St., Oregon, IL** for temporary placement of a Mobile Home during construction of barn (#03-09AG)
Property Identification Number: 20-02-200-001
Common Location: 10045 W. Edgewood Rd.

Ms. Elsbury was present and stated we are currently constructing a barn for horses and will eventually be building a house. We would like to have the RV there for privy and place to eat while caring for horses and supervising the construction of the barn. She passed out a brochure on the RV for the Committee to review. Mr. Hopkins asked what is time frame for this use? Ms. Elsbury answered less than two years hopefully. Our big priority is to build an indoor facility for the horses for the winter and to store hay. Once our current house is sold, we then plan on beginning construction of our new home. Mrs. Heuer asked do you intend to live in the RV? Ms. Elsbury answered no but we will be spending a lot of time there during the summer while training the horses. Discussion ensued regarding use of septic system vs. dumping station and running a portable generator for electricity.

Mr. Boes asked what type of building are you planning on constructing? Ms. Elsbury answered I have meet with several builders but am leaning toward a 60'x120' steel sided Wick building for the barn with an attached arena and one end being a stall barn. Mr. Boes asked how big will the house be? Ms. Elsbury answered approximately 40'x50' with a walk-out. Discussion ensued regarding the lay of the land.

Mrs. Heuer asked does this have to be a one year review? Mr. Reibel answered no. Mr. Boes stated as this is a long term project, I recommend a two year approval with annual review by the Planning & Zoning Department; seconded by Mr. Messer. 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. The motion carried by a roll call vote of 6-0.

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 $586.17. Mrs. Heuer made a motion to approve the payment of the bills in the amount of $586.17; 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

**#5-09 VARIATION -- David & Lisa Shaw, 6021 N. CL Myers Dr., Byron, IL** for a Variation to allow an Above-Ground Pool and Deck to be constructed 27' from the right-of-way line of N. River Rd. in lieu of 50' as required pursuant to the *Ogle County Amendatory Zoning Ordinance* on property described as follows and owned by the petitioners:

Lot 2 River Oaks Subdivision, part of the W1/2 SE1/4 Section 2 Rockvale Township 24N, R10E of the 4th P.M., Ogle County, IL
Property Identification Number: 09-02-452-002
Common Location: 6021 N. CL Myers Dr.

**#6-09 VARIATION -- William D. & Dawn M. Schumaker, 6073 Townline Rd., Leaf River, IL** for a Variation to allow the construction of an additional accessory building on a site that currently exceeds the maximum allowable accessory building area pursuant to Section 6.06 (D) of the *Ogle County Amendatory Zoning Ordinance* on property described as follows and owned by the petitioners:

Part E1/2 G.L.2 of the NE1/4 Fractional Section 4 and part W1/2 G.L. 2 NW1/4 Fractional Section 3 Mt. Morris Township 24N, R9E of the 4th P.M., Ogle County, IL, 7.81 acres, more or less
Property Identification Number: 08-04-200-004
Common Location: 6073 Townline 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)

**PROPOSED FEE SCHEDULE REVISION**

Mr. Reibel passed out a newly revised fee schedule for the Committee to review. He stated on this revised proposal, in addition to what you've seen before, I have proposed to increase the filing fee for Amendments and Special Use applications from $400 to $500. Our fees have not been increased since 2004 but mileage and per diem costs have gone up. Currently, we barely break even when we hold five hearings. We are losing money if we hold only one hearing. The norm for the time being has been two to three hearings per month. I also added that the petitioners would be responsible for the postage costs for the certified letters sent to the adjoining property owners. There is also a new fee for wind farm special use applications. We have one coming in this summer and, based on the last one held, they can get pretty expensive. Mr. Messer asked where are these proposed wind farms to be located? Mr. Reibel answered in the Byron/Leaf River area of Ogle County going into Stephenson and Winnebago counties. Mr. Messer asked this fee has nothing to do with the number of windmills? Mr. Reibel answered right. If the Special Use request is approved, they would have to apply for a permit for each windmill constructed. Mrs. Heuer asked please explain #3 under "Other Fees" for the wind farms. Mr. Reibel answered a sign notifying the public about the Zoning Board of Appeals meeting is required to be posted at

each site. We don't have enough signs so we asked the last wind farm applicant, Navitas, to provide the signs, which they graciously did, and then we returned the signs to them.

Mrs. Heuer asked why the different cost for buildings larger than 216 sq. ft.? Mr. Reibel answered 216' or greater is considered a residential garage, smaller is considered a shed and the setback requirements are different for each. Mr. Boes asked is the pool permit fee for above ground pools too? Mr. Reibel answered yes. Pool permits and dwelling additions take up more time than new dwellings because of the septic issues. We have to meet with the Health Department a lot to find septic locations.

Discussion ensued regarding the proposed changes. Mr. Diehl stated thank you for taking the time to update fees and stay on top this. Mr. Boes added I'm glad your office is staying on top of costs. Mrs. Heuer asked does this need to go to the County Board? Mr. Reibel answered affirmatively, and added that fees can be set by a resolution. Mr. Hopkins stated this could be presented this month for a decision. Mr. Reibel stated I think it would be good to act fast with this wind farm petition coming in.

Mr. Boes made a motion to adopt the proposed fee schedule revision; seconded by Mr. Diehl. 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. The motion carried by a roll call vote of 6-0.

**DISCUSSION OF REQUEST OF TODD MC LESTER - POSSIBLE TEXT AMENDMENT TO REDUCE OR ELIMINATE 1,000' RESTRICTION ON COMMERCIAL KENNEL SPECIAL USE IN AG-1 AGRICULTURAL DISTRICT**

Mr. Reibel stated the 1000' restriction was adopted about 10 years ago when we were having a lot of problems with dogs. The County Board, at that time, wanted to make kennel ordinances more strict. With the existing 1000' requirement, it is very hard to find a location that can meet this standard. Mr. McLester built a building and wants to have a kennel for breeding and training dogs, but he can not meet the 1000' requirement and asked me to see if there was anything that could be done to change the ordinance. I have prepared three options for amending the Zoning Ordinance: 1) eliminating the 1000' restriction entirely; 2) reducing the distance to 500'; or 3) reducing the requirement to 250'. Mr. Messer asked are we doing this specially for him? Mr. Reibel answered the change would effect any future requests. Understand that a Special Use permit is required to have a kennel and they are only allowed in the AG-1 Agricultural District. Adjoining property owners would be notified of the request and would have an opportunity to object. The request can be denied or conditions can be added accordingly. Mr. Dearvil asked how any requests have been turned down? Mr. Reibel answered that no requests have been denied, and either two or three requests have been approved in the past ten years or so. Mr. Barnes asked why was it made to be 1000'? Mr. Reibel answered to limit complaints from the neighbors. Mr. Barnes stated I am hesitant to recommend a change. Mr. McLester might run a good operation, but what about the next request. Mrs. Heuer stated restrictions could be placed on the request making them have to have enclosed building, etc. Mr. Barnes and Mr. Messer both commented that even though the kennel might be within a building, the dogs also have to be outside, and most kennels have outside runs. Mr. Diehl stated I think the current ordinance should remain as is.

The general consensus of the Committee is that the ordinance will remain as is.

**DISCUSSION OF REGIONAL PLANNING COMMISSION'S PLAN TO CONDUCT ON-LINE PLANNING PREFERENCE SURVEY UTILIZING "SURVEY-MONKEY"**

Copies of a survey were given to the Committee for review. Mr. Reibel stated using this service, the survey is easy to develop and use. It is free for up to 20 questions and around $20.00 per month for more questions. We would advertise the survey and include a link on the County website. The hope is to get valuable feedback from the county residents to use for future planning purposes. Mr. Hopkins stated I think this is a good way to get input. Discussion ensued regarding search engines used; Google, MSN, Wikepedia, etc.

The general consensus of the Committee is to move forward with the survey.

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 2:12 P.M. The next meeting of the Supervisor of Assessments and Planning & Zoning Committee is scheduled for June 10, 2009 at 1:00 P.M.

Respectfully submitted,

Michael Reibel
Planning & Zoning Administrator