February 20, 2015

The Ogle County Board, at their regular meeting held on Tuesday, February 17, 2015, Janes presents the petition from Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Planning & Zoning Committee of the Ogle County Board for an Amendment to the text of the Ogle County Amendatory Zoning Ordinance, as follows:

Add the following to Section 5.07 (B-1 Business District), Section D. (Accessory Land Uses) AND Section 5.08 (B-2 Business Recreation District), Section D. (Accessory Land Uses):

5. Single-family dwelling unit above the first floor of a building devoted to a permitted use(s), provided no business/commercial uses are conducted above first floor. For purposes of this section, the "first floor" of the building is the building entrance opening to ground level, and shall not include a basement or floor below grade. There can be only one first floor per building. Not more than one single-family dwelling unit pursuant to this provision shall be allowed per building.

Janes makes a motion to approve O-2015-0201 as presented and McKinney seconds. A roll call vote is called:

NO: None
ABSENT: O’Brien, Saunders, Welty and Bowers

Rebecca Huntley
Ogle County Clerk

The contents of this letter are a portion of the tentative Ogle County Board minutes pertaining to your zoning request. These minutes are subject to approval at the next Ogle County Board meeting.

Clerk: 105 S. 5th St., Suite 104, Oregon, IL 61061 • Phone (815) 732-1110 • Fax (815) 732-3477
Recorder: 105 S. 5th St., Suite 212, Oregon, IL 61061 • Phone (815) 732-1115 • Fax (815) 732-1189
wwwoglecounty.org
STATE OF ILLINOIS
) SS
COUNTY OF OGLE
)

ORDINANCE NO. 2015-0201

AN ORDINANCE APPROVING AN AMENDMENT TO THE TEXT OF THE
OGLE COUNTY AMENDATORY ZONING ORDINANCE

WHEREAS, Michael Reibel, Ogle County Planning & Zoning Administrator, under the
direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle
County Board, has filed a petition for an Amendment to the Text of the Ogle County
Amendatory Zoning Ordinance (Petition No. 12-14AM), as indicated in Exhibit “A” appended
hereto, in accordance with the applicable requirements of the Ogle County Amendatory Zoning
Ordinance and the laws of the State of Illinois; and

WHEREAS, the Ogle County Regional Planning Commission, at its January 22, 2015
monthly meeting, recommended that the requested Text Amendment by adopted as presented,
said requested Text Amendment being consistent with the goals and objectives of the Ogle
County Amendatory Comprehensive Plan; and

WHEREAS, following due and proper notice by publication in the Ogle County Life,
Rochelle News-Leader, Ogle County News, Dixon/Sterling Telegraph, and Tempo, newspapers
of general circulation within the County of Ogle, at least fifteen (15) days prior thereto, and by
mailing notice to all municipalities within the County of Ogle, and by mailing notice to all
Township Supervisors and Township Planning Commissions within the County of Ogle, the
Ogle County Zoning Board of Appeals conducted a public hearing as required by law on January
29, 2015; and,

WHEREAS, the Zoning Board of Appeals, having considered the evidence, testimony
and exhibits presented has made its report and findings of fact, and has recommended that the
requested Text Amendment be adopted as set forth in the Findings of Fact and Recommendation
of the Ogle County Zoning Board of Appeals dated January 29, 2015, a copy of which is
appended hereto as Exhibit “B”; and,

WHEREAS, the Supervisor of Assessments and Planning & Zoning Committee of the Ogle
County Board has reviewed the testimony presented at the aforesaid public hearing and has
considered the findings of fact and recommendation of the Zoning Board of Appeals, and has
forwarded a recommendation to the Ogle County Board that the proposed amendments to the
text of the Ogle County Amendatory Zoning Ordinance be adopted by the Ogle County Board.

Page 1-
WHEREAS, the Ogle County Board has considered the recommendation of the Regional Planning Commission, the findings of fact and recommendation of the Zoning Board of Appeals and the recommendation of the Supervisor of Assessments and Planning & Zoning Committee, and has determined that adoption of the requested Text Amendment (Petition No. 12-14AM) as indicated in Exhibit “A” appended hereto is consistent with the public interest, is consistent with the goals and objectives of the Ogle County Amendatory Comprehensive Plan, and is in the best interests of the citizens of the County of Ogle.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY BOARD OF OGLE COUNTY, ILLINOIS, as follows:

SECTION ONE: The Findings of Fact and Recommendation of the Ogle County Zoning Board of Appeals, Exhibit “B” appended hereto, is hereby accepted, and the finding of fact set forth above are hereby adopted as the findings of fact and conclusions of the Ogle County Board.

SECTION TWO: The proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance as indicated in Exhibit “A” appended hereto are hereby adopted by the Ogle County Board.

SECTION THREE: This amendment to the text of the Ogle County Amendatory Zoning Ordinance shall be in full force and effect immediately upon its adoption and passage by the County Board of Ogle County, Illinois.

PASSED BY THE OGLE COUNTY BOARD THIS 17TH DAY OF FEBRUARY 2015 A.D.

Kim P. Gouker
Chairman, Ogle County Board

ATTEST:

Rebecca Huntley
Ogle County Clerk and
Ex Officio Clerk of the Ogle County Board
5. Single-family dwelling unit above the first floor of a building devoted to a permitted use(s), provided no business/commercial uses are conducted above first floor. For purposes of this section, the "first floor" of the building is the building entrance opening to ground level, and shall not include a basement or floor below grade. There can be only one first floor per building. Not more than one single-family dwelling unit pursuant to this provision shall be allowed per building.
Exhibit “B”
Findings of Fact and Recommendation
of the Ogle County Zoning Board of Appeals
FINDINGS OF FACT AND RECOMMENDATION
OF THE OGLE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Ogle County Zoning Board of Appeals concerning an application of Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Supervisor of Assessments and Planning & Zoning Committee of the Ogle County Board in case #12-14 AM. The applicant is proposing to amend the text of the Ogle County Amendatory Zoning Ordinance as indicated in Exhibit “A” attached hereto.

After due notice, as required by law, the Zoning Board of Appeals held a public hearing in this case on January 29, 2015 in the County Board Room, 3rd Floor of the Ogle County Courthouse, Oregon, Illinois and hereby report their findings and recommendation as follows:

FINDINGS: The Zoning Board of Appeals hereby finds that the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance, Exhibit “A” attached hereto, are consistent with the public interest and the goals and objectives of the Ogle County Amendatory Comprehensive Plan, and are in the best interests of the citizens of the Ogle County, Illinois.

RECOMMENDATION: The Zoning Board of Appeals hereby recommends that the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance, Exhibit “A” attached hereto, be adopted by the Ogle County Board.

ROLL CALL VOTE: The roll call vote was 5 members for the motion to recommend adoption of the proposed amendments to the text of the Ogle County Amendatory Zoning Ordinance, 0 opposed.

Respectfully submitted this 29th day of January 2015 by the Ogle County Zoning Board of Appeals.

Jason Sword, Chairman
Maynard Stivers
Paul Soderholm
Randy Ocken
Dennis Williams

Jason Sword, Chair

ATTEST:

Michael Reibel, Secretary
Add the following to Section 5.07 (B-1 Business District), Section D. (Accessory Land Uses) AND Section 5.08 (B-2 Business Recreation District), Section D. (Accessory Land Uses):

5. Single-family dwelling unit above the first floor of a building devoted to a permitted use(s), provided no business/commercial uses are conducted above first floor. For purposes of this section, the "first floor" of the building is the building entrance opening to ground level, and shall not include a basement or floor below grade. There can be only one first floor per building. Not more than one single-family dwelling unit pursuant to this provision shall be allowed per building.
1 STATE OF ILLINOIS  
2 COUNTY OF OGLE  

In the Matter of the Petition  

of  

Text Amendment  

Ogle County, Illinois  

Testimony of Witnesses  

Produced, Sworn and  
Examined on this 29th day  
of January A.D. 2015  
before the Ogle County  
Zoning Board of Appeals  

Present:  
Paul Soderholm  
Maynard Stivers  
Randy Ocken  
Dennis Williams  
Jason Sword, Chairman  
Michael Reibel, Zoning Administrator  

INDEX  

Witness Examination  
Thomas Balser .................. 8  

In Totidem Verbis, LLC (ITV)  

MR. SWORD: I'd like to call this January  
meeting of the Ogle County Zoning Board of  
Appeals to order.  

4 Mr. Reibel, please read the roll.  
(Roll call was taken and all were  
present.)  

7 MR. REIBEL: Five present.  
8 MR. SWORD: We have five members. There  
is a quorum.  

10 Please rise for the Pledge of Allegiance.  
(The Pledge of Allegiance was  
recited.)  

13 MR. SWORD: The verbatim transcript  
serving as minutes from the last meeting is on  
file and will not be read at this time.  
16 I'll entertain a motion to approve the  
minutes of the last ZBA.  
18 MR. OCKEN: So moved.  
19 MR. SWORD: Is there a second?  
20 MR. SODERHOLM: Second.  
21 MR. SWORD: It's been moved and seconded.  
22 All those in favor.  
(All those simultaneously  
responded.)  

In Totidem Verbis, LLC (ITV)  

MR. SWORD: Opposed?  
(No verbal response by the Board  
members.)  

5 MR. SWORD: Motion carries.  
All testimony will be taken under oath.  
6 Please come forward to testify. State your name  
and address to the recording secretary. Please  
spell your last name. When testifying, please  
speak clearly and loud enough to be heard. This  
hearing is the only opportunity to place  
testimony and evidence on the record. There  
will not be another opportunity beyond tonight's  
hearing to submit evidence or testimony for  
consideration. Please turn off or silence all  
cell phones and pagers.  

16 Procedure on the hearings that we will be  
following tonight is as found in the ZBA Rules  
of Procedures or Citizen's Guide to Zoning Board  
of Appeals, which are available at the desk near  
the entrance to this room.  
20 If anyone has any trouble hearing, please  
let us know.  
22 Mr. Reibel, what's the first order of  
business?  

In Totidem Verbis, LLC (ITV)  

(815) 453-2260
MR. REIBEL: The first order is to consider the request filed December 16th, 2014, of Mike Reibel, Ogle County Planning and Zoning Administrator, under the direction of the Planning and Zoning Committee of the Ogle County Board for an Amendment to the text of the Ogle County Amenity Zoning Ordinance as follows:

Add the following to Section 5.07 (B-1 Business District), Section D (Accessory Uses) and Section 5.08 (B-2 Business Recreation District), Section D (Accessory Land Uses):

Single-family dwelling unit above the first floor of a building devoted to a permitted use, provided no business/commercial uses are conducted above the first floor. For purposes of this section, the "first floor" of the building is the building entrance opening to ground level, and shall not include a basement or floor below grade. There can be only one first floor per building. Not more than one single-family dwelling unit pursuant to this provision shall be allowed per building.

For the record, there are no adjoining property owners -- it is a text amendment -- and no sign posting is applicable. But publication statutory requirements have been complied with, in that a legal notice was published at least 15 days prior to this hearing, on various dates, in In Totidem Verbis, LLC (ITV)

located or will allow a building owner to establish a single-family dwelling up for lease.

A zoning certificate would be required by the zoning administrator in order to construct a single-family dwelling unit as a portion of the commercial building pursuant to the above or convert space within existing commercial building to a single-family dwelling unit pursuant to the above.

Health department review would also be required to ensure that sewage disposal is adequate and, if not, is capable of being modified or expanded to accommodate any additional loads that would be placed upon it.

And I can also ensure that off-street parking requirements are met by any additional parking demand.

So that really is all I have.

MR. SWORD: Should we have a discussion among us first or should I --

MR. REIBEL: Just have -- Tom is present to support this Amendment, so.

MR. SWORD: Filed for a -- to testify, filed for an appearance?

In Totidem Verbis, LLC (ITV)

the Ogle County Life, Oregon Republican, Byron Tempo, Rochelle Newsleader, Sauk Valley News/Dixon Telegraph.

And that's all I had.

MR. SWORD: Let's see. Well, I guess next it would be to see if there's anyone here as far as filing for an appearance?

MR. REIBEL: Yes. And I can just briefly testify as well as far as the commentary or the executive summary. That essentially serves a Staff Report, I guess. So I'll just briefly read the commentary into the record. It's short.

The commentary for the proposed text amendment is as follows:

This proposed text amendment would allow limited single-family residential use of a commercial building in the B-1 Business District and B-2 Business Recreation District as a permitted accessory use. Allowing limited single-family residential use will assist in maintaining the viability of a commercial building by allowing business owners to also reside on the premises where their business is located or will allow a building owner to establish a single-family dwelling up for lease.

A zoning certificate would be required by the zoning administrator in order to construct a single-family dwelling unit as a portion of the commercial building pursuant to the above or convert space within existing commercial building to a single-family dwelling unit pursuant to the above.

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In Totidem Verbis, LLC (ITV)

MR. REIBEL: He has not filed for an appearance, but he can just testify.

MR. SWORD: Would you like to come forward?

MR. BALSER: Sure. Where would you like me?

MR. SWORD: You can just stand up there. That would be fine.

Raise your right hand -- wait. State your name and address, please.


MR. SWORD: Raise your right hand.

THOMAS BALSER, being first duly sworn, testified as follows:

MR. SWORD: Very good. All right. Go ahead.

MR. BALSER: I'm in a situation which I own a property in Grand Detour, the old Landmark property. It's owned in joint tenancy with my ex-wife. We're trying to sell the property. Most of the people that are looking at it want to use it as a commercial business downstairs but live above it, and it's kind of set up for In Totidem Verbis, LLC (ITV)
that. And, actually, for most of its years --
it was built around the Civil War, with the
second floor added around the turn of the 20th
Century -- that's the way it's been used.
Probably at the time that the Code was put in
place it might have been commercial downstairs
and commercial upstairs, but we would like to
return to its more typical use of commercial
downstairs and residential upstairs.
Mike was nice enough to come out and visit
the property when we had some people looking at
it and listen to kind of the dynamics of what
was going on, did a nice job of kind of cracking
the solution.
And it is not atypical. You know, from
listening to the Regional Planning Commission,
there are other situations in the county, it's
a -- you know, it's a county-wide change. But
for -- in this case it's particular to us, and
it would give us a better chance at selling it.
MR. REIBEL: And the photos I'm passing
around, of course, are of the old Landmark that
Tom is referring to. It's each a different
angle.

In Totidem Verbis, LLC (ITV)

This is a universal --
universally-applicable text amendment throughout
the county, county-wide, but this situation at
the old Landmark in Grand Detour typifies what
we are envisioning for the type of use that this
Amendment would allow.

MR. SWORD: So is there an issue as far as
for him to sell it? I guess I'm a little bit
confused of why -- what brought the need for
this in the first place?

MR. REIBEL: Right now, since the dwelling
on the second floor in this building has not
been utilized as such for an extended period of
time, it's non-conforming. It can't be
re-established unless we change the ordinance to
now allow it.

MR. SWORD: Because obviously this type of
situation, you know, it's been common ever
since, you know, the Europeans have been here.
You know, I mean, the store fronts, usually the
owners live upstairs, that kind of thing.

MR. REIBEL: In downtown areas, certainly.

MR. SWORD: Right. Exactly.

Is that mainly because this is an
In Totidem Verbis, LLC (ITV)

unincorporated area?

MR. REIBEL: Yes. And we don't have a
lot of -- we don't have really any active
downtowns in Ogle County anymore, but there are
maybe a handful of other buildings that are used
as a downtown -- or first-floor business and an
upstairs dwelling. Just a handful. Like, I
can't think of -- but a couple.

MR. SWORD: Right.

MR. SODERHOLM: What's the current ruling
on this property -- or property that's similar
to that? You can't live above your business?

MR. REIBEL: Right.

MR. SODERHOLM: Whose rule is that? The
County's rule?

MR. REIBEL: The Zoning Ordinance does not
allow residential uses in a business district.

MR. OCKEN: But how does that work? I
mean, downtown Polo I know there's several
apartments above businesses.

MR. REIBEL: Right. They have their own
building ordinances. That's a City ordinance.

MR. OCKEN: So within the City that's
different. Okay.

In Totidem Verbis, LLC (ITV)

MR. SWORD: Why is it it -- it says here
that it shall not include a basement. Why does
that make a difference? Shall not include a
basement.

MR. REIBEL: Well, the first floor and any
of the basements are for business use. And
being an accessory use, the dwelling should be
above the business so that the commercial use
remains the principal use of the Business
District.

MR. OCKEN: But there can be a basement?

MR. REIBEL: Oh, absolutely.

MR. OCKEN: It just can't be considered
the first floor.

MR. SODERHOLM: Could somebody live in
that basement?

MR. REIBEL: No. Only above the first
floor in a commercial building.

MR. WILLIAMS: Mike, the history with the
text the way it's written now, what was the
thought that they wouldn't allow the residence
on this? Was it because of fire -- fear of fire
or --

MR. REIBEL: I think simply to ensure that
In Totidem Verbis, LLC (ITV)
business districts are exclusively for
businesses and are not encroached by residential
uses.

Being unincorporated, we just don't have a
lot of situations where we're going to see this.
MR. STIVERS: It says here "residential."
So even though -- the owner, he could rent out
the upstairs, right?
MR. REIBEL: Yes.
MR. STIVERS: Okay.
MR. OCKEN: So this site is zoned
Business --

MR. REIBEL: Yes.
MR. OCKEN: -- in an unincorporated area?
MR. REIBEL: Yes.
MR. STIVERS: But right now the owner
wants to live upstairs; is that correct?
MR. BALSER: Well, if it doesn't sell I
will be living upstairs. And, quite honestly,

historically, two years at my present location,
but for the 20 years before that my family and
I, until my wife left me, did live upstairs.
So, I guess, we would have been ruled
noncompliant.
In Totidem Verbis, LLC (ITV)

So -- but, you know, as -- in discussions
with people that are interested in the property
and then their discussions with banks, I think
the banks really wanted to see that this issue
is cleared up one way or the other. They
wouldn't lend money to somebody if it wasn't
zoned properly, I think is probably the best --
you know, a poor way to say it, but maybe just
kind of from the -- you know, from the person
trying to sell the house's perspective.

But, you know, it's such a challenging
time for unincorporated areas. I mean, you guys
talked about the fact that there's so few --
there aren't any business districts. I really
hope -- I mean, this building was built in 1870
or 1860. It's reinvinted itself probably 30
times over the course of that -- at one point I
think they used it to store IDOT plow trucks
because the plow trucks were only 4 foot wide.
So I hope -- it's got a -- and it was the
Landmark I think because, you know, they told
people in 1875 when you're going from Dixon to
Oregon, they'd say, you know, you get to a big
stone building, you take a left and you go to
In Totidem Verbis, LLC (ITV)

downstairs, you could put a real estate office
down there, or a bike shop, a kayak, you know,
kind of place. It's got some river access and
it's got access to the slough, and then Ron Lang
cut a little channel through to get to the main
channel of the river. It's a little bit
controversial, but not the purview of this
Board.

But what we found was typically people
wanted to live upstairs and then over the course
time develop a business plan that would fit
for the downstairs. It's got great parking,
great visibility.

So -- and, really, I appreciate Mike's
help on this, because it was really kind of him
listening to the discussions and the dynamics
that really kind of formulated this solution.
So I appreciate the County's support all the way
through this process.

MR. STIVERS: Do you feel like you have --
like you lived above there, it's a security
asset to live upstairs?
MR. BALSER: You know, it probably is.
Actually, about three months after I moved out
In Totidem Verbis, LLC (ITV)
was when Casey's -- or the Shell Station, somebody threw that cinder block through the door that night, and my guess is that that probably was a dynamic.

ComEd maintains -- or, actually, we paid for it, but ComEd put a light -- you know, a street light right on the pole outside of there, which helps as well.

And then, you know, I think it's -- except for Shell, there's not much going on and you don't see as much traffic in the evening especially as you used to. You know, when gas got to be four-and-a-half dollars you really saw a huge drop in kind of discretionary travel.

You know, at certain times, about 10 o'clock at night, you can go out and get a game of jacks going on the center line of the road if you think about it. But -- so it is -- it certainly is a security.

And it's a neat place to live. I mean, it's one of the tallest structures in Grand Detour. It does have kind of a third floor, and we have got a bedroom up on that third floor area and that's really kind of the nicest in Totidem Verbis, LLC (ITV)

because it's up away from the highway noise.

So, you know, we're just trying to -- you know, with your help, try to give it its best chance at reinventing itself one more time and really on into the future.

Those walls are 3-foot thick with limestone, and then there's plaster on top -- you know, on the inside of that as well. So it's not going anywhere. I remember talking to somebody that was interested in buying it, he goes, I think I will put some bollards out here.

I think with 3-foot thick walls you don't need many bollards. It would have to be a pretty big nig. It's a neat space.

Just kind of listening to -- between the banks and the little bit of interest there has been in the property, it seemed like it was important to get the zoning straightened out.

MR. SWORD: It sounds like it's got a lot of possibilities, so yeah.

Any further comments or questions?

MR. SODERHOLM: This doesn't pertain to his property, but would a ruling such as this -- how would that affect bed and breakfast In Totidem Verbis, LLC (ITV)

operations, say, for example, the old restaurant that Jeff owned --

MR. BALSEN: Yeah, Colonial Rose.

MR. SODERHOLM: I don't know if conceivably they could have stayed on one floor or stayed on the second floor, the owner? Would that impact the B and B operations potentially around the county?

MR. REIBEL: Well, if there's a business.

Usually they're not zoned Business.

MR. SODERHOLM: Oh, they aren't?

MR. REIBEL: Usually they're zoned Residential District with a Special Use in unincorporated Ogle County. I don't know how the cities are.

MR. SODERHOLM: I think anything we can do to promote business in this area is very, very important and we ought to do that.

MR. SWORD: All right. Anyone here opposed to this petition?

No verbal response by any audience members.

MR. SWORD: Anyone in favor?

MR. BALSEN: I am.

In Totidem Verbis, LLC (ITV)

MR. SWORD: Okay. Any further discussion by the Board?

MR. STIVERS: I have none.

MR. SWORD: I think it's -- it would be a good idea to get this straightened out, kind of clarify it a little bit more and do whatever we can to kind of help any type of rural development.

How do we do this?

MR. REIBEL: I sent out some direction, kind of the analysis for a text amendment. Really the standards -- since there's no specific standards in the Zoning Ordinance, the standard really is, is this text amendment in the best interest of the citizens of Ogle County and is it consistent with the goals and objectives? And the Comprehensive Plan will be a secondary consideration.

MR. SODERHOLM: So moved.

MR. REIBEL: Okay.

MR. SWORD: We have a motion. Is there a second on that?

MR. STIVERS: Second.

MR. SWORD: All right. It's been moved

In Totidem Verbis, LLC (ITV)
and seconded.

Any other further discussion?

(No verbal response by the Board members.)

MR. SWORD: Seeing none, we'll have the roll call vote.

MR. REIBEL: Williams?
MR. WILLIAMS: Yes.
MR. REIBEL: Ocken?
MR. OCKEN: Yes.
MR. REIBEL: Soderholm?
MR. SODERHOLM: Yes.
MR. REIBEL: Stivers?
MR. STIVERS: Yes.
MR. REIBEL: Sword?
MR. SWORD: Yes.

(By voice vote five ayes.)

MR. REIBEL: Five voted yes.
MR. SWORD: Motion carries.

MR. BALSER: Thank you, gentlemen, and thank you for your service. I was 11 years on the Dixon School Board, so I know that democracy happens in little bits that people don't really notice and notice how much it takes time out of your lives and so forth, but it's nice to know that it's here and listens to the people. So my compliments to you on your service.

I like the blue truck, Randy.

MR. OCKEN: Thank you, Tom.
MR. SWORD: Any other business.
MR. REIBEL: No further business?

(No verbal response by the Board members.)

MR. SWORD: Seeing none, meeting adjourned.
REGIONAL PLANNING COMMISSION REPORT
JANUARY 22, 2015

The regular monthly meeting of the Ogle County Regional Planning Commission was held on Thursday, January 22, 2015 at 6:00 P.M. at the Old Ogle County Courthouse, First Floor Conference Room #100, 105 S. Fifth St., 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 6:00 P.M. Roll call indicated that six members of the Regional Planning Commission were present: Lloyd Funk, Paul White, Dale Flanagan, Harold Wetzel, Doug Creason and Wayne Reising. Cody Considine was absent.

2. READING AND APPROVAL OF REPORT OF NOVEMBER 20, 2014 AS MINUTES.

   Chairman Funk asked for changes, corrections and/or additions to the November 20, 2014 Regional Planning Commission report. Hearing none, Chairman Funk declared the report approved as presented.

3. UNFINISHED BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

   There was no "Unfinished Business" for consideration.

4. OLD BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

   There was no "Old Business" for consideration.

5. NEW BUSINESS

   A. DECISIONS (CONSIDERATION AND POSSIBLE ACTION)

   #12-14 TEXT AMENDMENT – Michael Reibel, Ogle County Planning & Zoning Administrator, under the direction of the Planning & Zoning Committee of the Ogle County Board for an Amendment to the text of the Ogle County Amendatory Zoning Ordinance, as follows:
Add the following to Section 5.07 (B-1 Business District), Section D. (Accessory Land Uses) AND Section 5.08 (B-2 Business Recreation District), Section D. (Accessory Land Uses):

5. Single-family dwelling unit above the first floor of a building devoted to a permitted use(s), provided no business/commercial uses are conducted above first floor. For purposes of this section, the "first floor" of the building is the building entrance opening to ground level, and shall not include a basement or floor below grade. There can be only one first floor per building. Not more than one single-family dwelling unit pursuant to this provision shall be allowed per building.

Mr. Reibel reviewed the petition with the Commission. Tom Balser was present - he owns property in Grand Detour (the former "Stan Hack's Landmark" restaurant property) that would be effected by this text amendment. He gave some background on the property and its previous uses, one of which was a restaurant and the owners lived up above the restaurant. He stated that he is trying to sell the property and interested prospects want to be able to live in the second story of the building. Mr. Reising stated that in the incorporated areas, this is generally an allowable use; we don't have that many areas in the county that would be effected by this change. Discussion ensued regarding other sites that this text amendment would apply to, and sites that are currently non-conforming in this regard.

Mr. Reibel stated that Tim Lichty, Monroe Township Supervisor, informed him that Monroe Township has no objection to the proposed text amendment, and he has not heard from any other township or municipality at this time. Mr. Reibel added that the ZBA is instructed that, unlike map amendments, special uses and variations, there are no specific standards in the Zoning Ordinance for text amendments. The question is determining if the proposed text amendment is consistent with the goals and objectives of the Comprehensive Plan, and is in the best interests of the citizens of Ogle County.

Mr. Funk asked for any further questions or comments; hearing none, he asked for a motion. Mr. White made a motion to recommend approval of #12-14 Text Amendment as it is consistent with the goals and objective of the Ogle County Comprehensive Plan and is in the best interests of the citizens of Ogle County; seconded by Mr. Creason. Motion carried unanimously via roll vote.

6. OTHER BUSINESS (CONSIDERATION AND POSSIBLE ACTION)

Copies if the 2014 annual statistics were given to the Committee and reviewed. Discussion ensued regarding the lack of population growth in Rochelle and the effects the lower tax assessment of the Exelon facility will have on the County.
SECTION:

10-ID-1: Purpose 10-ID-2: Fee Schedule
10-ID-3: Unconstitutionality Clause
10-ID-4: Repeal and Date of Effect

10-ID-1: PURPOSE:

The purpose for implementing fees is to help supplement state grant and local tax levy dollars that are used to provide both regulatory and voluntary environmental health services that are currently being provided by the Ogle County Health Department.

The Ogle County Health Department Administrator has the authority to revise or amend fees with the approval from the Ogle County Health Board. The Ogle County Health Department Administrator also has the authority to, transfer, waive, or reduce any of the fees if the situation warrants it (i.e. public health emergency, hardship cases, overpayment, or other circumstances which would require a fee alteration).

10-ID-2: Fee Schedule

**Food Service License Fees**

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fees:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Facility</strong></td>
<td></td>
</tr>
<tr>
<td>Type III Facility (low)</td>
<td>$125.00</td>
</tr>
<tr>
<td>Type II Facility (medium)</td>
<td>$200.00</td>
</tr>
<tr>
<td>Type I Facility (high)</td>
<td>$250.00</td>
</tr>
<tr>
<td>Late Renewal Penalty Fee</td>
<td>50% of Lic. Cost</td>
</tr>
<tr>
<td><strong>Mobile Units</strong></td>
<td></td>
</tr>
<tr>
<td>Type III Facility (low)</td>
<td>$50.00</td>
</tr>
<tr>
<td>Type II Facility (medium)</td>
<td>$75.00</td>
</tr>
<tr>
<td>Type I Facility (high)</td>
<td>$100.00</td>
</tr>
<tr>
<td>Late Renewal Penalty Fee</td>
<td>50% of Lic. Cost</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Temporary Food Service Permit</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Type III Facility (low)</td>
<td>$30.00</td>
</tr>
<tr>
<td>Type II Facility (medium)</td>
<td>$50.00</td>
</tr>
<tr>
<td>Type I Facility (high)</td>
<td>$70.00</td>
</tr>
<tr>
<td>Late filing fee</td>
<td>50% of fee</td>
</tr>
<tr>
<td>(Less than 1 week before event)</td>
<td></td>
</tr>
<tr>
<td>Onsite Temporary Permit</td>
<td>Double the regular fee</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Seasonal (open &lt; 6 months/year)</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Type III Facility (low)</td>
<td>$100.00</td>
</tr>
<tr>
<td>Type II Facility (medium)</td>
<td>$150.00</td>
</tr>
<tr>
<td>Type I Facility (high)</td>
<td>$200.00</td>
</tr>
<tr>
<td>Late filing fee</td>
<td>50% of fee</td>
</tr>
</tbody>
</table>

**Other Food Service Fees**

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fees:</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Reinspection</strong></td>
<td></td>
</tr>
<tr>
<td>(Due to violations and/or closure)</td>
<td>$50.00 First Visit</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Plan Reviews</strong> (new or renovation)</td>
<td></td>
</tr>
<tr>
<td>Low Priority Facility</td>
<td>$95.00</td>
</tr>
<tr>
<td>Medium Priority Facility</td>
<td>$175.00</td>
</tr>
<tr>
<td>High Priority Facility</td>
<td>$315.00</td>
</tr>
<tr>
<td>(Plan review fee includes: application review, design review, 2 site visits, pre-opening visit)</td>
<td></td>
</tr>
<tr>
<td>Additional site visits</td>
<td>$25.00</td>
</tr>
</tbody>
</table>

Revised: 2/4/2015
Private Sewage Disposal Fees

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Private Sewage Contractor License</td>
<td>$150.00</td>
</tr>
<tr>
<td>License Reinstatement after 1 year lapse</td>
<td>$50.00</td>
</tr>
<tr>
<td>License Reinstatement after 3 year lapse (includes retaking the test)</td>
<td>$75.00</td>
</tr>
<tr>
<td>Annual Sewage Pumper</td>
<td></td>
</tr>
<tr>
<td>Contractor License</td>
<td>$125.00</td>
</tr>
<tr>
<td>Each truck</td>
<td>$  50.00</td>
</tr>
<tr>
<td>Annual Sewage Land Application Permit</td>
<td>$  50.00</td>
</tr>
<tr>
<td>Original Land Application Review Permit</td>
<td>$100.00</td>
</tr>
<tr>
<td>Late Renewal Penalty Fee</td>
<td>50% of fee</td>
</tr>
</tbody>
</table>

Private Sewage Disposal Permit

- Residential Dwelling (new construction)               $300.00
- Residential Dwelling (repair)                        $225.00
- Commercial Facility                                  $300.00
- Mechanical Units                                     $300.00
- Training Session for Homeowner Installation           $150.00
- Engineering Plan review                              $100.00
- Septic Permit Variance Change                        $  50.00
- Mechanical Unit Annual Registration fee               $  50.00
- Mechanical Unit Code Non-Compliance Penalty Fee (assessed per month) $25.00

Private Sewage disposal Installers Licensure Exam      $100.00

Private Sewage Disposal Pumpers Licensure Exam         $  75.00

Septic Permit Transfer                                 $  50.00

Private Well Water Fees

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Water Well Construction Permit Fee</td>
<td>$100.00</td>
</tr>
<tr>
<td>Dewatering Wells as defined by State Code</td>
<td></td>
</tr>
<tr>
<td>If obtained at the same time as new well permit</td>
<td>$  50.00</td>
</tr>
<tr>
<td>Vertical Geothermal Well</td>
<td></td>
</tr>
<tr>
<td>$100 for first 10 wells</td>
<td></td>
</tr>
<tr>
<td>$10 ea. for added well</td>
<td></td>
</tr>
<tr>
<td>Abandoned Well Sealing/Plugging Permit Fee</td>
<td>$100.00</td>
</tr>
<tr>
<td>Private Water Analytical Fees</td>
<td></td>
</tr>
<tr>
<td>Bacteria</td>
<td>$  20.00</td>
</tr>
<tr>
<td>Nitrate</td>
<td>$  15.00</td>
</tr>
<tr>
<td>Iron</td>
<td>$  15.00</td>
</tr>
<tr>
<td>Hardness</td>
<td>$  15.00</td>
</tr>
<tr>
<td>Other Chemicals (lab cost +postage+handling 5%)</td>
<td></td>
</tr>
<tr>
<td>Private Water Sample Collection</td>
<td></td>
</tr>
<tr>
<td>$50.00+lab fees</td>
<td></td>
</tr>
<tr>
<td>(Sampling will be done within 2 weeks of request)</td>
<td></td>
</tr>
</tbody>
</table>

Other Service Fees

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fees:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sanitary Property Evaluation</td>
<td></td>
</tr>
<tr>
<td>Water &amp; Sewage</td>
<td>$150.00</td>
</tr>
<tr>
<td>Water Only</td>
<td>$120.00+lab fees</td>
</tr>
<tr>
<td>Sewage Only</td>
<td>$ 120.00</td>
</tr>
<tr>
<td>Feasibility Study</td>
<td>$  75.00</td>
</tr>
<tr>
<td>Follow-up Site Visit</td>
<td>$  20.00+lab fees</td>
</tr>
<tr>
<td>One-Two Day Service for above (No refunds for sanitary evaluation)</td>
<td>$100.00</td>
</tr>
<tr>
<td>Subdivision Plat - Well &amp; Septic Feasibility Review Fee $300.00/lot, $150.00 min.</td>
<td></td>
</tr>
<tr>
<td>Freedom of Information Requests</td>
<td>$  0.10/page</td>
</tr>
<tr>
<td>Returned Checks (NSF)</td>
<td>$  25.00</td>
</tr>
<tr>
<td>License Replacement</td>
<td>$  10.00</td>
</tr>
</tbody>
</table>

This Division shall be in full force and effect from and after February 17, 2015.
At that time all resolutions and parts of resolutions in conflict with this division are hereby repealed.

Passed and adopted this 17th day of February, 2015 By the Ogle County Board.

Chairman, Ogle County Board   Attest: Ogle County Clerk

Article D.
Environmental Fee Schedule

Revised: 2/1/2015

W:\COUNTY BOARD PACKETS\2015 County Board Packets\Resolutions in WORD\February\Ordinance - Environmental Fee Schedule - O-2015-0203.doc