AGENDA
Land Use Committee
Monday, October 24, 2022
@ 4:00 PM
Peoria County Courthouse, Room 403

1. Call to Order

2. Approval of Minutes
   • July 25, 2022

3. Reports / Other Minutes / Updates
   • Tri County Regional Planning Commission minutes
   • Unsafe Structures
   • Development Summary

4. Zoning Cases
   • #ZBA-2022-0040, Petition of EDPRNA DG Illinois Development, LLC
   • #ZBA-2022-0042, Petition of Lisa Rogers
   • #ZBA-2022-0044, Petition of Ryan R. McIntyre

5. Resolutions
   • Chillicothe Township Property Transfer
   • Chillicothe Park District Property Transfer

6. Discussion
   • Mitigation Plan

7. Miscellaneous

8. Adjournment
MINUTES
LAND USE COMMITTEE REGULAR
OCTOBER 3, 2022 @ 4:00 P.M.

MEMBERS PRESENT: James Dillon - Chairperson; Eden Blair – Vice Chairperson, William Watkins, Jennifer Groves Allison, Matt Windish, Sharon Williams, Brian Elsasser (via teleconference)

MEMBERS ABSENT:

OTHERS PRESENT: Jennie Cordis Boswell – State’s Attorney's Office; Shauna Musselman, Scott Sorrel – County Administration, Julie Kusturin, Heather McCord – Finance, Andrew Braun, Sarah Cox – Planning & Zoning

Call to Order:
Mr. Dillon called the meeting to order at 4:10 p.m.

A motion to allow Mr. Elsasser to participate via teleconference was made by Dr. Blair and seconded by Ms. Allison. A vote was taken, and the motion carried (7-0)

Approval of Minutes:
A motion to approve the Land Use Committee minutes from August 22, 2022, was made by Ms. Allison and seconded by Mr. Windish. A vote was taken, and the motion carried. (7-0) (Mr. Elsasser voted via teleconference)

Budget:
A motion to discuss the budget was made by Ms. Williams and seconded by Mr. Watkins.

Mr. Dillon asked Mr. Sorrel if he would forego the budget presentation since the members had heard it in previous meetings. Mr. Dillon stated that LUC has the smallest budget of the County. There is a slight budget ask, a slight increase of $1,500 from last year. Revenues of $331,000, and expenditures of $682,000. Mr. Dillon stated that if there were any questions Mr. Braun would be able to answer them.

Mr. Sorrell stated that he was happy to answer any questions.

A vote was taken, and the motion carried. (7-0)

Reports/Other Minutes/Updates:
Tri-County Regional Planning Commission Minutes: No questions or comments.

Unsafe Structures: No questions or comments.

Development Summary: No questions or comments.

Mr. Dillon moved to receive and file the reports.

Miscellaneous:
**Adjournment:**
Mr. Dillon adjourned the meeting at 4:13 p.m.

*Recorded by: Sarah Cox, ZBA Administrative Assistant*
Ways & Means Committee: 8:30 a.m., August 3, 2022
Full Commission/Executive Board (in lieu of Lack of Quorum): 9:00 a.m., August 3, 2022

MINUTES

1. Call to Order, Welcome, Recognition of Audience
Chairman Don White called the meeting to order at 9:00 a.m.

2. Roll Call

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<td>Russ Crawford Tazewell Co.</td>
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<td>Gary Manier, Washington</td>
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<td>Karen Dvorsky, IDOT</td>
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Present: Eric Miller, Debbie Ulrich, Francesca Lewis, Michael Bruner, Rebecca Eisele, and Reema Abi-Akar. Staff virtual: Britney West. Virtual: Denise Passage, City of Chillicothe. Also present: Brandon Geber- IDOT, Virtual- Betsy Tracey- FHWA

3. Public Input- none

4. Motion to approve July 6, 2022, Commission minutes
John Kahl moved to approve July 6, 2022, Commission minutes and Ron Talbot seconded. Motion carried.

5. Chairman report-nothing

6. Executive Director report
Eric Miller updated on the following:
- Strategic Plan stages
- Technical meeting Special studies
- SPR announcement (Brandon Geber from IDOT said it will be sooner than later)
7. Ways and Means Report
   a. Motion to approve June 2022 Financial Statements and Billings (Resolution 23-09)
      Chuck Nagel moved to approve June 2022 Financial Statements and Billings (Resolution 23-09) and John Kahl seconded.
      Rebecca reported on the following:
      • Operating Activities in June resulted in a Net Loss of ($8,254)
      • Total Operating Cash at the end of the month was $836,926. Cash increased in June by $64,891 compared to May.
      • Accounts Receivable’s at the end of June was $167,729
      • Accounts Payable balance at the end of June was $68,757
      • Total Current Billings for June were $159,036 minus direct pass-through expenses of $98,070, resulting in Operating Revenue of $69,966.
      • Total Expenses for June were $167,290, minus direct pass-through expenses of $98,070, resulting in Operating Expenses of $69,220.
      • June resulted in a net loss of ($8,254). Fiscal Year 2022 ended with a net surplus of $8,508.

8. Administration
   a. Motion to approve request for staff member(s) to attend Illinois American Planning Association Conference (Resolution 23-14)
      Chuck Nagel moved to approve request for staff member(s) to attend Illinois American Planning Association Conference (Resolution 23-14) and John Kahl seconded.
      Reema Abi-Akar reported:
      • This typically is every year and planners attend this event.
      • I am helping to lead a panel session aimed at students regarding different types of planning careers.
      • It is in downtown Chicago from September 28-30.
      • Cost is not to exceed $4,500; this is for all four planners which includes registration, hotel, and meals.
      Motion carried.
   b. Motion to approve, TCRPC Officers and Committee appointments July 1, 2022, thru June 30, 2023, Autum Jones to replace Barry Logan on Nominations and Executive Board Committees. (Amended Resolution 22-51) (Resolution 23-15)
      Russ Crawford moved to approve TCRPC Officers and Committee appointments July 1, 2022, thru June 30, 2023, Autum Jones to replace Barry Logan on Nominations and Executive Board Committees. (Amended Resolution 22-51) (Resolution 23-15) seconded by John Kahl.
      Russ Crawford mentioned this needed to go thru Nominations then to Commission. Motion carried.
   c. Discussion of Strategic Planning Report
      Eric Miller reported on the following:
      • The next steps are to create a transportation dashboard for existing data sources that support Federal Performance Measures and LRTP Goals.
      • Create Regional Priority Project List for the Tri-County area
      • Support Effective Grant Applications
      • Environmental and Land Use Development Strategies.
      There were no comments or objectives on this.

9. Planning
   a. Motion to approve Executive Director to enter contracts with the Illinois Emergency Management Agency and consultant to update Regional Hazard Mitigation Plan (Resolution 23-13)
      Ron Talbot moved to approve Executive Director to enter contracts with the Illinois Emergency Management Agency and consultant to update Regional Hazard Mitigation Plan (Resolution 23-13) and John Kahl seconded.
Reema Abi-Akar reported:

- We applied for and received an HMGP grant (Hazard Mitigation Grant Program) through IEMA and FEMA
- We requested just under $90k; they awarded us just over $100k ($106,021.20). It requires a 25% cost share, but they accept in-kind matches.
- We will use a consultant, like we did previous years. We put out a RFQ and received four submissions; we are in the process of selecting one.
- We have added more jurisdictions since the last time we completed this plan. We now have 23; we gained 6 more (bolded are new)
  - Bartonville (village)  
  - Chillicothe (city)  
  - Creve Coeur (village)  
  - East Peoria (city)  
  - El Paso (city)  
  - Eureka (city)  
  - Germantown Hills (village)  
  - Greater Peoria Sanitary District  
  - Hanna City (village)  
  - Morton (village)  
  - Tremont (village)  
  - Washington (city)

Motion carried.

10. Transportation
   a. Motion to approve Surface Transportation Block Grant (STBG) Projects (Resolution 23-12)

John Kahl moved to approve Surface Transportation Block Grant (STBG) and Patrick Urich seconded.

Michael Bruner explained the following:

- We need to allocate STBG funds to the urbanized area for FY 2025 & 2026
- We have $6.56 million to program through the Traditional Program (reconstruction of existing roadways & building new roadways)
- TCRPC submitted a call for projects earlier this year
- We received 7 applications
  - East Peoria- Grange Road- Centennial to US-24
  - Pekin- Court Street- 8th St to Stadium Dr.
  - Pekin- Derby Street- 8th St to 14th St
  - Peoria- Northmoor/University Intersection
  - Peoria County- Sheridan Road- Glen to Northmoor
  - Tazewell County- Mueller Road- Pinecrest (EP) to Jay Ave. (Morton)
  - Washington- Nofsinger Road- Santa Fe Rd to Cruger Rd

- The Technical Committee established a STBG Review Committee
  - Rich Brecklin (Germantown Hills)
  - Terry Keogel (Creve Coeur)
  - Kinga Krider (West Peoria)

- The subcommittee scored the top two projects:
  - Pekin: Court Street from 8th Street to Stadium Drive
    - Self-score of 40
    - Regional significance score of 37.8
    - Total score of 77.80
  - Peoria: Northmoor & University Intersection
    - Self-score of 37
    - Regional significance score of 36.55
    - Total score of 73.55

- Top two projects amount to $6,920,000
  - Excess request of $360,000 or 5.2%
In the past, we have split this cost reduction evenly among the projects.

Subcommittee recommended funding both Pekin and Peoria project with a 5.2% prorated reduction.
  - Court Street: Requested $3M, reduced by $156,069, funding amount $2,843,931 (35.55% federal share)
  - Northmoor/University: Requested $3.92M, reduced by $203,930, funding amount $3,716,070 (66.35% federal share)

At the July 20 Technical Committee meeting, the group voted to amend the Subcommittee recommendations on a 9 to 8 vote to instead award Pekin at their full request because their request amounted to a 37.5% federal share, while Peoria requested the maximum federal share of 70%.

The Technical Committee’s final recommendation is to fund Court’s Street in Pekin at their full requested amount of $3 million, and Northmoor and University at a reduced amount of $3.56 million.
  - Court Street: Requested $3M, reduced by $0, funding amount $3M (37.5% federal share)
  - Northmoor/University: requested $3.92M, reduced by $360,000, funding amount $3.56M (63.57% federal share)

Eric Miller added there was positive results from the amendment at Technical Committee meeting. It is policy to make projects whole.

Russ Crawford added we need to trust within all groups is important.

Pat Urich added as technical looks at this it needs to be considered. If more money comes from Federal, it needs to be spread out.

Motion carried.

b. Motion to approve Transportation Improvement Program Amendments (Resolution 23-11)
   i. S-23-08 Pavement Preservation
   ii. S-24-08 Airport Road Bridge Replacement
   iii. S-23-01 Adams Street Bridge Replacement
   iv. S-25-01 IL-8 Bridge Rehabilitation
   v. S-20-13 IL-29 Bridge Rehabilitation
   vi. S-23-04 IL-29 Bridge Rehabilitation

John Kahl moved to approve Transportation Improvement Program Amendments (Resolution 23-11) and James Dillon seconded.

Michael Bruner updated on the following:

- S-23-08 Pavement Preservation
  - I-74 & I-474 Pavement preservation (various locations) Added to FY23 program
- S-24-08 Airport Road Bridge Replacement
  - Airport Road bridge replacement over I-474. Project funding updated and moved to FY23 program
- S-23-01 Adams Street Bridge Replacement
  - IL-8 bridge rehab over Kickapoo Creek tributary (3.5M NS of Pottstown). Project added to FY25 program.
- S-25-01 IL-8 Bridge Rehabilitation
  - IL-8 bridge rehab over Kickapoo Creek. Project added to FY25 program
- S-20-13 IL-29 Bridge Rehabilitation
  - IL-29 bridge replacement over Dickison run project funding updated and moved to FY26 program.
- S-23-04 IL-29 Bridge Rehabilitation
  - IL-29 bridge replacement over Dickison run project funding updated and moved to FY26 program.
  - The difference between S-20—13 and S-23-04 is one is the North bound bridge, and the other is the south bound bridge.
Michael Bruner asked Karen Dvorsky if she had anything to add and she responded no. Motion carried.

c. Motion to approve the extension of Section 5310 Agreement with the Greater Peoria Mass Transit District to improve bus stops throughout the region. (Resolution 23-16)
Andrew Rand moved to approve the extension of Section 5310 Agreement with Greater Peoria Mass Transit District to improve bus stops throughout the region (Resolution 23-16) and John Kahl seconded.

Reema Abi-Akar updated on the following:

• Every year, Tri-County receives an apportionment of funds from FTA for the Section 5310 program
  o This aims to improve mobility of seniors and people with disabilities.
  o We have the choice to give this money to IDOT for them to use in their Consolidated Vehicle Procurement program OR we can put out our own call for projects to use funds for either capital or operational funds.
• In February 2019, Tri-County executed an agreement with GPMTD to improve bus stops throughout their service area using, at the time remaining funds from FY16 and FY17.
  o That agreement expired in February 2017.
  o A portion of the funds were spent, but not all of them.
    ▪ Due to a combination of factors, mainly staff changes over the years in both TCRPC and GPMTD, as well as COVID complications
  o FTA is requiring us to spend these funds by December 31, 2022
    ▪ We would like to extend the contract
• Still have $57,150
  o $45,720 are federal
  o $11,430 are local
• GPMTD has a plan to spend these funds across six bus stops
• We have just submitted to NEPA report to the FTA, so once that returns, GPMTD will be able to begin the work on these bus stops improvements.
• We would like to extend our previous contract because the scope is the same, so we can retain these funds for the region.
Motion carried.

d. Motion to approve the adoption of Congestion Management Process (CMP) (Resolution 23-10)
John Kahl moved to approve the adoption of Congestion Management Process (CMP) (Resolution 23-10) and Patrick Urich seconded.

Reema Abi-Akar reported on the following:

• Because our area’s population is over 200,000, we are considered a Transportation Management Area (TMA)
• All TMA’s must develop a Congestion Management Process to address safety and management of a multimodal transportation system.
• We acquired Lochmueller Group, a consultant, to complete this process. We utilized the community engagement processes outlined in our Public Participation Plan (PPP) document
  o We had 30-day comment period (July 1-31) and a public meeting during the last technical meeting.
  o Sharif Ullah from Lochmueller Group also attended and gave a presentation about the plan and the process.
  o The Technical Committee recommends the adoption of the CMP
Motion carried.

11. Updates

a. STBG Preservation Set-Aside Program
Michael Bruner updated on the following:
• $1.64M will be available for resurfacing projects
Anticipate an August 17th Call for Projects at Technical
  - Due: September 30th by 4:00 PM
- October 19th project presentation
b. IDOT
  - Brandon Geber thanked TCRPC for CMP (Congestion Management Process) update
c. FHWA- Betsy Tracey had nothing to add

12. Other
   - Next meeting schedules September 7, 2022

13. Adjournment
   - Chuck Nagel moved to adjourn at 9:46 am and John Kahl seconded. Motion carried.

Submitted by:
Eric Miller, Executive Director

Transcribed by:
Debbie Ulrich, Office Manager
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: October 24, 2022

LINE ITEM: Revenue:
Expenditure:

ISSUE: Unsafe Structure Monthly Update

BACKGROUND/DISCUSSION:
Peoria County is enforcing the unsafe structure program. The following properties possess one or more structures that present a danger to public safety and are in the process to achieve compliance through the owner or demolishing the structure or being recommended for demolition by Planning and Zoning.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES

STAFF RECOMMENDATION:

COMMITTEE ACTION:

PREPARED BY: Adam Willard
DEPARTMENT: Planning & Zoning
DATE: 10/11/2022

ATTACHMENTS:

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UNSAFE PRINCIPAL STRUCTURES AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY

HARPER, Elbert – 2305 S Skyway Rd – Limestone – Sec. 23 – (17-23-152-012) – Complaint # 2019-305 – The house has holes and is sagging. The Hearing Officer has issued her final order. The roof condition is getting worse with more holes and sagging. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. A demolition order has been granted for this property. A demo permit has been issued.

SASSO, Michael – N. Beall Rd. – Princeville – Sec. 02–(02-29-400-005) – Complaint #2021-027- The roof is collapsing, and the foundation has many holes in it. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. A demolition order has been granted for this property. A demo permit has been issued.

MAHER, James – W Laura Rd. – Princeville – Sec. 02 – (02-30-100-003) – Complaint #2021-022 – The porch roof is collapsing, and the house is missing part of the foundation causing the walls to start to collapse. One main structural post supporting the 2nd story is rotten. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. A demolition order has been granted for this property. A demo permit has been issued.

PUNO, Jose – 20510 N Rt. 40 – Edelstein – Sec. 04 – (04-18-200-002) – Complaint #2021-034 – There are two separate foundations under the house. There is a portion of foundation missing on the east side of the house causing half the house to move. The main support beam and joists have rotted and broken causing the floor to collapse. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. A demolition order has been granted for this property.

HENRY, Wesley – 1613 E Resthaven Rd. – Medina – Sec. 34 – (09-34-405-038) – Complaint #2021-020 – House is abandoned. The house has sustained substantial damage from numerous floods and is damaged beyond repair. This property has been included in the Grant Application for demolition funding, and has been referred to the SAO for demolition order.

SCHAUB, Christopher – 21118 N North Hampton Rd. – Hallock – Sec. 12 – (04-12-300-005) – Complaint #2021-029 – House is abandoned. Holes on the exterior side of the house, door and windows are not secured and are broken or missing. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order.

FORD, Margaret - 1725 E. Lane- Limestone – Sec. 13 - (17-13-476-032) - Complaint #2020-224 – House is abandoned, holes forming in the roof, back wall of breezeway has collapsed. There has been no change in this property. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. This case was closed and levied a fine. A demolition order has been granted for this property. A demo permit has been issued.

Gschwind, Berniece - 1616 East Hendryx Ln.- Medina- Sec. 34 - (09-34-404-020)- Complaint #2021-00019- This house has been abandoned and left in disrepair with holes in the roof, many property maintenance issues. This property has a history of flooding issues as well causing it to be unfit for human occupancy. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. A demolition order has been granted for this property. A demo permit has been issued.

Venzon, Richard - 3317 West Latrobe St.- Limestone- Sec. 13 - (17-13-426-015)- Complaint #2021-000201- This property has been abandoned with holes in the sides of the house allowing rodents and weather to deteriorate the interior and exterior of the house causing it to be unfit for human occupancy. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. A demolition order has been granted for this property. A demo permit has been issued.
**Patterson, Karen** - 1636 N. Norwood Blvd- Limestone- Sec. 03 - (17-03-101-070)- Complaint #2021-000134 – The house is abandoned. The block foundation on the north side of the house has collapsed. The back fall is a walkout with holes in the plywood and the studs are rotting. This case went before the hearing officer on 11/3/21 was fined and closed by the Hearing Officer. Liens were filed on June 3rd.

**Frederick, Jonathon** – 1307 N. Dempster Ln.- Limestone- Sec. 03 – (17-03-251-005)- Complaint #2021-000531 – This was a house fire. The entire roof structure is completely burnt and could collapse at any time. All windows are missing and many holes in the exterior walls. A Permit has been issued for this project but will remain on this list until structure has been repaired.

**Warren, Helen** – 3315 W. Lincoln Ave. – Limestone- Sec. 12 – (17-12-480-003) – Complaint #2021-000328- This house is abandoned and has many property maintenance issues. Daylight can be seen numerous places in the roof and the ceilings inside in the front room have already collapsed. This case appeared in front of the Hearing officer on Jan. 5, 2022, and found it was in violation, issued a fine and continued to March 2, 2022. The Hearing officer issued another fine and closed the case. A lien was filed on May 16th.

**Tibbs, Jeremy** – 3708 W Lincoln Ave - Limestone Twp - Sec. 12 - (17-12-383-001) - Complaint # 2022-000316. – The house roof is sagging significantly, and the foundation has holes in it causing it to collapse. This case is scheduled for the hearing officer on Nov. 2nd.

**Thompson, Louise** – 21510 Korth Rd. – Elmwood – Sec. 33 – (11-33-200-001) - Complaint # 2022-000490 This house is collapsing. The roof is caving in on the front of the house. The foundation has completely collapsed in the front of the house into the basement causing all rodents and weather in the structure.

**Hanlon, Kenneth** – 16407 W Oak Hill Cemetery Rd.- Brimfield- Sec. 05 – (12-05-100-014)- Complaint # 2022-000489. This house is missing a foundation along most of the front of the structure and a giant hole in the back of the house to the inside. The roof is sagging and could collapse with the weight of snow.

**CASES IN THE HEARING OFFICER PROCESS**

**Maldonado, Nedys, previously known as DURHAM, Ronald** – 713 N Cherry Ln – Limestone – Sec. 03 – (17-03-377-026) – Complaint #2019-333 & 2020-022 – House has failing walls and roofs due to significant deterioration and tree damage, there is not any foundation, and the house is not safe. The detached garage has collapsing walls and roof. Referred to SAO. The tarp has now been blown off the roof exposing the damage showing a giant hole through the 2nd story roof. The hearing officer continued this case until June 1st. This case was continued until Oct. 5th. Mr. Maldonado’s attorney asked for this to be continued until Jan. 4th 2023.

**Isaacson, Carrie** – 19010 N Hakes Rd.- Hallock- Sec. 19 – (04-19-300-005) – Complaint #2022-000005 – This was a house fire. The entire house has significant fire damage with windows broken out and much of the soffit and siding are missing. A violation letter was sent on 2/15/22. Hearing officer continued this case until July 6th. This case was continued until Sept. 7th. This case has been continued until Nov. 2nd.
GLB Investments- 3601 W Farmington Rd.- Limestone- Sec. 01- (17-01-401-001) Complaint #2022-000033- This is a business that caught fire. The entire roof has burnt and collapsed. The exterior block walls are black in places from the fire and cracks throughout all the walls. No permits have been issued for this demo and will be going to the June 1st hearing. This property was fined and continued until July 6th hearing. This property was fined again and continued until Aug. 3rd. This property was fined and closed. A lien has been placed on this property on 10/7.

Hammel, Alex J- 3214 W. Augustana Ave.- Limestone- Sec. 13 – (17-13-479-005) – Complaint #2022-000075- House is abandoned. The entire east exterior wall of the house is missing and the roof in collapsing. A no occupancy sign was posted. This property has been scheduled to go to the Hearing officer on June 1st. This case was fined and continued until July 6th. This property was fined and continued until Aug. 3rd. This property was fined and case was closed.

Medina, Teresa- 511 S. Kickapoo Creek Rd. – Limestone- Sec. 12 – (17-12-352-004) – Complaint #2022-000204 – This house has a large hole in the foundation and the center of the roof has suffered damage and is sagging. There are also many property maintenance issues with this property. This is scheduled to go to the hearing officer on Sep. 7th. This case has been continued until Nov. 2nd.

PROPERTIES IN COMPLIANCE FOR THE PAST FIVE YEARS

Compliance Year – 2017

HOUGLAND, Ryan & JA - 1506 S Sarah Drive - Limestone Twp - Sec. 13 - (17-13-406-001) - Complaint #13-496 - The demolition of the house, deck and garage was completed by Peoria County.

KLEIN, David - 10802 S Glasford Rd - Timber Twp - Section 27 - (19-27-151-005) - Complaint #2016-364 - The house was substantially burned. Demolition has been completed by the owner.

ECHTERLING, Eugene - 13334 River Beach Drive - Chillicothe - Medina Twp - Section 13 - (09-13-251-001) - Complaint #2015-079 - House damage originated from a house fire and then was damaged in flood waters. The structurally unsafe portions of the house have been repaired.

CAGLE, Lindon - 1622 N Moody Ct - Limestone Twp - Section 03 - (17-03-101-044) - Complaint #2017-034 - The house was badly burned and unsafe. Demolition has been completed by the owner.

BURKE-LLOYD, Arlene - 8921 W Farmington Road, Hanna City, Il - Limestone Twp - Sec. 08 - (17-08-101-010) - Complaint # 11-145 - Restaurant. Demolition permit 58573 has been completed by Peoria County.

SIEGEL, Francis - 10015 W Edwards St - Kickapoo Twp - Section 19 - (13-19-304-001) - Complaint #2016-085 - Demolition has been completed by the owner.

HANSEN, Sherry - 3214 W Malone St - Section 13 - (17-13-280-001) - Complaint #2017-057 - The house was badly burned and unsafe. Demolition permit 58594 has been completed by the owner.

PEORIA COUNTY - (Formerly ZALCMAN, Maurice) - 15016 N River Beach Dr - Rome Twp - Sec. 07 - (10-07-227-007) - Complaint #2013-379 - Substantial damage from 2013 and 2015 floods. House and garage are unsafe. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.
MZENTES, Austin - 7009 W Lancaster Rd - Limestone Twp - Sec. 33 - (17-33-251-013) - Complaint #2015-168 - House was unsafe due to major foundation failure. On August 9, 2017, the owner removed the attached garage which was the unsafe portion of the house.

SOMOGYI, Justin - 1718 S Happ Ave - Limestone Twp - Section 13 - (17-13-378-003) - Complaint #2017-073 - The house was badly burned and was unsafe. Demolition has been completed by the owner.

EKVALL, Timothy - 7901 W Bridlebrook Dr - Hollis Twp - Section 08 - (20-08-227-004) - Complaint #2017-078 - The house was badly burned and was unsafe. Demolition has been completed by the owner.

ROEDELL, Brock - 10214 W Powdernill Rd - Kickapoo Twp - Sec. 19 - (13-19-306-003) - Complaint #2016-237 - Unsafe house due to the foundation collapsing into the basement from flood damage. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

SHUMAKER PROPERTIES LLC - 11705 N Old Galena Rd - Medina Twp - Sec. 09 - (09-23-351-012) – Complaint #2017-132 - Approximately 2/3 of the Midwest Fiber commercial building was fire damaged. A demolition permit was issued and the unsafe portion of the building has been removed by the owner.

MOREFIELD, Christopher - (formerly Hill) - 13625 W Southport Road, Brimfield - Rosefield Twp - Section 15 - (12-15-301-006) - Complaint #2017-112 - This property had a house and a shed that were deteriorated and collapsing. The owner has completed the demolition of the house and repaired the shed.

KOFOID, Ronald - 6233 W Conley Rd - Kickapoo Twp - Sec. 34 - (13-34-380-041) - Complaint #2015-070 was closed - Porch and garage roofs were collapsing. The unsafe collapsing sections were repaired and are no longer unsafe.

BAZHENOW, Steven - 4912 W Farmington Rd - Limestone Twp - Sec. 02 - (17-02-377-025) - Complaint #2016-054 - Unsafe shed. This property has been annexed into Bellevue.

Compliance Year – 2018

VAUGHN, Deanna – 1816 S Oakwood Ave – Limestone Twp – Sec. 13 – (17-13-478-006) – Complaint #2017-070 – The house roof was collapsing. Demolition has been completed by the owner.

SMITH, Carla – 5203 W Monroe Rd – Limestone Twp – Section 23 – (17-23-152-030) – Complaint #2017-116 – The garage roof was collapsing. Demolition has been completed by the owner.

CLAYTON, Sandra - 10129 W Powder Mill Rd - Edwards - Kickapoo Twp - Section 19 - (13-19-302-001) - Complaint #13-096 - Front porch is unsafe. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

COX, Chanell – 3112 W Latrobe St – Limestone Twp – Sec 13 – (17-13-429-009) – Complaint #2018-031 – Garage roof was collapsing. Demolition has been completed by the owner.

HAMM'S HARBOR INC. - 17620 N River Ln - Chillicothe Twp - Sec. 29 - (05-29-478-001) - Complaint #2015-297 - House is unsafe due to installing a foundation without building and flood permits and not to code. Rear roof support is inadequate and there is no safe egress out of the house. This property has been transferred to Peoria County and the structure has been demolished utilizing grant funding.

MULLENS, Clarence - 15623 W McDonald Rd - Logan Twp - Section 20 - (16-20-400-002) - Complaint #2017-062 – The unsafe house and shed have been removed.
**COOMBES,** Carlos – 1423 E Resthaven Rd - Medina Twp - Sec. 34 - (09-34-405-025) - Complaint #2018-058 - Demolition has been completed.

**Compliance Year – 2019**

**MILLER,** Alvie – 3005 W Main St – Hallock Twp – Section 18 – (04-18-151-005) – Complaint #2017-155 - The shed and detached garage have been demolished by a company hired by the bank.

**SHYNK,** Mary – 8005 N Blackbridge Rd – Kickapoo Twp - Sec 04 – (13-04-351-012) - Complaint #2018-240 – The unsafe and fire damaged parts of the house have been removed by the owner.

**STEVENSON,** Linda – 937 N Range Ln – Limestone Twp – Sec. 03 – (17-03-426-005) – Complaint #2018-061 – House interior was badly damaged by fire. Demolition has been completed by the owner.

**GARNAND,** James – 818 N Limestone Ln – Limestone Twp – Sec. 02 – (17-02-377-009) – Complaint #2018-258 – The fire damaged parts of the house have been repaired by the owner and are safe.

**SNYDER,** Anne – 7630 W Fernhill Ct – Kickapoo Twp – Sec. 04 – (13-04-301-027) – Complaint # 2019-183 – House was badly damaged by fire. Demolition has been completed by the owner.

**BELLINGER,** Andrew - 525 S Kickapoo Creek Rd - Limestone Twp - Section 12 - (17-12-352-006) - Complaint #2016-206 - The house was burned substantially and was unsafe. This case was sent to the SAO for a demolition order, the demolition permit was issued to Jimax Demolition, and the demolition has been completed.

**COOPER,** Deqarius – 3204 N Augusta Ave – Limestone Twp – Sec. 13 – (17-13-479-009) – Complaint #2017-159 – The house had a collapsing roof and holes in the foundation. This case was sent to the SAO for a demolition order. A demolition permit was issued to Schaefer & Son Excavating and the demolition was completed.

**Compliance Year – 2020**

**MEADOWS,** Cherryle – 1708 S West Ln – Limestone Twp – Sec. 13 – (17-13-456-003) – Complaint # 2019-242 – House roof had holes and was collapsing, and the foundation was failing. Demolition has been completed by the owner.

**JANSZEN,** Carol – 7014 W Lancaster Rd – Limestone Twp – Section 33 – (17-33-252-003) – Complaint #2018-004 – A detached garage was collapsing, and a shed had collapsed. Demolition has been completed by the owner.

**ADKINS,** James – 4827 W Farmington Rd – Limestone Twp - Sec. 02 - (17-02-405-001) - Complaint #2018-027 - Commercial building had a collapsing porch roof, failing foundation, and collapsing stairs. The unsafe parts have been removed or repaired.

**CLAYTON,** Sandra - 9912 W Layne St - Kickapoo Twp - Section 13 - (13-19-326-004) - Complaint #2017-123 - Two accessory buildings have collapsing roofs and other property maintenance violations. Permits were issued for repairing each building. The buildings have been repaired.

**PLATTNER,** Amy – 9511 W Goetz Rd – Kickapoo Twp – Sec. 31 – (13-31-251-013) – Complaint #2020-039 – The detached garage has collapsed. A demo permit has been issued and the garage has been removed.

**JENNINGS,** Codee - 2029 W Blackberry Ln – Medina Twp – Sec. 31 - (09-31-227-012) - Complaint # 2020-023 – The house has been severely burned and the remaining structure is unsafe and now has sewage in the basement. Demolition has been completed by the owner.
RYNEARSON, Jerry - 14529 W Devils Washboard RD – Timber Twp – Section 21 - (19-21-300-006) - Complaint #2020-138 – The house caught fire. Only a portion of the roof is left, and 3 walls. The house has been demolished.

BRIGGS, David – 8115 Pfeiffer Rd- Limestone Twp- Section 29 - (17-29-400-013) - Complaint #2020-154- House fire. The garage and living room have collapsed. Demo of the house is complete.

Compliance Year- 2021

DAVIS, Gerald – 13724 W Route 150 – Jubilee Twp – Sec. 34 – (07-34-100-003) – Complaint # 2019-054 – House has a collapsing roof and accessory structures have collapsing roofs and walls. A demo permit has been issued and the house has been removed.

HOLLOWAY, Brant – 1203 Maxwell Rd – Limestone - Sec. 03 - (17-15-176-009) Complaint #2020-198- Garage wall is collapsing causing roof to collapse as well. A permit has been issued for the repair.

HAUSAM, Nancy - 1004 N Oakleaf Rd - Limestone Twp - Sec. 02 - (17-02-406-007) - Complaint #2018-166 - Detached garage roof is collapsing. A permit has been issued for repaired.

KING, Jesse — 2105 N Willow Rd. – Kickapoo – Sec. 34 – (13-34-305-030) – Complaint # 2020-286- The house caught on fire. Half of the house has collapsed and the roof on the rest is mainly burnt through. There was an occupancy prohibited posting posted on the house. House has been demolished and permit is closed.

CHALLACOMBE, Keith – 22013 N Jefferson St – Millbrook- Sec. 01 - (01-07-176-001)- Complaint # 2021-040- House was burnt significantly. Only 2 walls are left standing. There was an occupancy prohibited posting posted on the house. Demo permit 60776 was issued and the structure has been torn down and permit closed. The property is now in compliance.

HALIBURTON, Justin – 9619 N. Route 91 – Radnor Twp – Sec. 35 – (08-35-300-039) – Complaint # 2020-21886- The house was destroyed by fire. The house foundation and an in-ground swimming pool still remain on the property. Demo has been completed.

DAVIS, Gerald – 14112 W Route 150 – Jubilee Twp – Sec. 33 – (07-33-200-011) – Complaint # 2019-053 – The house roof is collapsing. This case has been continued to the September 1, 2021 Hearing Officer meeting. Building Permit has been issued and case has been closed.

HIBBERT, Douglas—11129 W. Timber Rd.- Timber—Sec. 24 - (19-24-300-007) - Complaint #2021-000159—this was a house fire. Garage is still standing, but the rest of the house is completely burnt. The foundation is block and has cracks everywhere and will require a structural engineer to view the damage in order to reuse it for new house. A demo permit was issued and completed for this structure. This case has been closed.

JOHNSON, Barbara (New owner Jeffery Harris) – 1617 S Crest Dr – Limestone Twp – Sec. 13 – (17-13-377-012) – Complaint #2017-175 – The house and attached garage roof is deteriorated and sagging. The garage door header supporting the roof is failing. A permit has been issued to the new owner for repairs. The owner states that he repaired the roof but everything was covered up when called for an inspection, so I was unable to verify that the work had been correctly completed.

Compliance Year 2022


**Walsh, Pamela**—14229 W Farmington Rd.- Logan- Sec. 04- (16-04-400-014) Complaint #2022-000010- This was a house fire. The structure has been demolished during the fire and no part of the structure is standing. A violation letter will be sent out on 2-22-2022. A permit has been issued for the demolition of this structure. Demo has not been completed and will be going to the June 1st hearing. Demo has been completed.

**BEAL, Jeffrey & LOCKWOOD, Tiffany** (Previous owners CR 2018 LLC, Robert Williams) - 3708 W Lincoln Ave - Limestone Twp - Sec. 12 - (17-12-383-001) - Complaint # 2019-100 is closed (prior #2014-195) – The house roof is sagging significantly, the foundation is failing, and the deck is unsafe. A 15-day notice was posted and mailed on March 6, 2019. This case has been sent to the SAO for a demolition order but has changed ownership. Permits were issued for repairing the house but will remain on the list until the unsafe structure has been repaired. Permits have been renewed. These permits have expired and a new violation has been started. Viol-2022-000144. This case was reinspected and scheduled for the hearing on July 6th. This property was fined and continued until Sept. 7th. This case has been closed due to new ownership.

**Roberts, George** - 17304 North Second St. - Chillicothe- Sec. 32 - (05-32-204-004)- Complaint #2021-00028- This property has been abandoned with broken windows, large hole in roof and walls and a sagging roof causing it to be unfit for human occupancy. This property also has a history of flooding. This property has been included in the Grant Application for demolition funding and has been referred to the SAO for demolition order. The owner has obtained a demo permit to take down this structure. This property has been demolished and cleaned up. Case closed.

**Snider, Julie A** - 15417 N. River Beach Dr.- Rome- Sec. 05 – (10-05-301-019) – Complaint #2022-000170- This is a house that caught fire. Most the roof has collapsed but the exterior walls are still standing. The extent of interior damage is unknown at this time. A demo permit has been issued and the structure has been taken down.
NON-RESIDENTIAL BUILDING

BLDNR-2022-000015  Type: Non-Residential Building  Main Address: 1710 W WOODSIDE DR  Parcel: 0920301020
Issue Date: 09/22/2022  Valuation: $125,345.00
Description: ROOF-MOUNTED SOLAR PANELS FOR WHEELS O’ TIME MUSEUM

BLDNR-2022-000014  Type: Non-Residential Building  Main Address: 1720 E CARLAR CT  Parcel: 0927226007
Issue Date: 09/20/2022  Valuation: $205,000.00
Description: SHOP ADDITION TO ORIGINAL OFFICE BUILDING; STARK EXCAVATING

TELE-2022-000017  Type: Telecommunications  Main Address: 7827 S HURST DR  Parcel: 2014101008
Issue Date: 09/09/2022  Valuation: $35,000.00
Description: CO-LOCATE ON EXISTING TOWER

TELE-2022-000018  Type: Telecommunications  Main Address: 9948 N BOYDS HOLLOW RD  Parcel: 0934100022
Issue Date: 09/28/2022  Valuation: $30,000.00
Description: CO-LOCATE ON EXISTING TOWER

TELE-2022-000021  Type: Telecommunications  Main Address: W RICHWOODS BLVD  Parcel: 1325153002
Issue Date: 09/29/2022  Valuation: $35,000.00
Description: CO-LOCATE ON EXISTING TOWER

TOTAL VALUE FOR NON-RESIDENTIAL CONSTRUCTION THIS PERIOD:  $430,345.00

RESIDENTIAL NEW HOME CONSTRUCTION
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<th>BLDR-2022-000013</th>
<th><strong>Type:</strong> Residential New Home Construction</th>
<th><strong>Main Address:</strong> 414 S PINKERTON RD</th>
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<td><strong>Valuation:</strong> $280,000.00</td>
<td><strong>Description:</strong> NEW SINGLE-FAMILY RESIDENCE</td>
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<td><strong>Valuation:</strong> $237,500.00</td>
<td><strong>Description:</strong> NEW SINGLE-FAMILY RESIDENCE</td>
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</table>

**TOTAL VALUE FOR NEW HOME CONSTRUCTION THIS PERIOD:** $517,500.00

**ALL PERMITS**

| **TOTAL NUMBER OF ALL PERMITS THIS PERIOD:** | 138 |
| **TOTAL VALUE OF ALL PERMITS THIS PERIOD:** | $2,894,540.72 |
The Medina Township Planning Commission has commented that they have no strong objection to the development and use of this consistent with the Peoria County Growth Strategy in the Peoria County Comprehensive Land Use Plan.

The “A-2" Agricultural Zoning District, covering approximately 35 acres of the 78.37-acre subject parcel. The subject parcel is located along E. Rome West Road in the Southeast Quarter of Section 2 in Medina Township. There are 0 consents and 0 objections on file. All surrounding parcels are also zoned “A-2" with the exception of a stretch of “R-1” zoning to the northwest of the parcel. The likely point of interconnection would be Ameren’s Hallock Substation, which is about 2.8 miles to the northeast. The petitioner’s site plan shows that the nearest dwelling would be about 260 feet from the solar panels, which meets the 75-foot residential setback required by the UDO. The system would operate at a maximum level of 69 decibels closest to the inverters, which is quieter than the average car at highway speed; these inverters would be located 150 feet from the nearest residential property. Section 20-5.2.2.2.h of the UDO allows for a special use for a solar energy generation facility in the “A-2” district, provided that the conditions in Section 7.17 are met. If granted, the petitioner must obtain building and stormwater and erosion control permits prior to construction. Section 20-7.17.5 (“Decommissioning Plan”) requires that the petitioner maintain a decommissioning plan with financial security. The plan must state how the facility will be removed, including restoring the land to a condition reasonably similar to its condition before the development and the replacement of topsoil. The LESA score was 174.7 out of 300, which is a low rating for agricultural protection. The petitioner shall enter into an Agricultural Impact Mitigation Agreement with the Department of Agriculture outlining standards to preserve any agricultural land impacted by the request. No conditions were found that would cause the Health Department to recommend denial of the request. Following construction, the request will generate minimal traffic. The petitioner has provided correspondence from the Peoria County Highway Department and the Medina Township Road Commissioner, and road use agreements will be obtained from the appropriate road official prior to the start of construction. Medina Township Road Commissioner W. Franklin Sturm, II would prefer that Wayne Road, a township roadway located east of the site, was not used for construction access or material delivery. The Peoria County Future Land Use Form Map designates this area as Rural. Solar Energy Generation Facilities are not an identified use in the Peoria County Comprehensive Land Use Plan. The request will not disrupt adjacent agricultural operations. The request is also consistent with the Peoria County Growth Strategy for Rural Areas. The request is within the 1 ½ mile extraterritorial jurisdiction of the City of Chillicothe. The City of Chillicothe Comprehensive Plan 2014 Update does not include this area in its future land use plan. The Medina Township Planning Commission has commented that they have no strong objection to the development and use of this property as a solar farm and will defer to the County for final approval.

COUNTY BOARD GOALS:

HEALTHY VIBRANT COMMUNITIES

STAFF RECOMMENDATION: Approval with the following restrictions:

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Medina Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 (“Decommissioning Plan”) of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 I LCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

ZBA RECOMMENDATION: Approval with restrictions (5-0)

COMMITTEE ACTION:

PREPARED BY: Taylor Armbruster, Planner I
DEPARTMENT: Planning & Zoning
DATE: October 13, 2022
County of Peoria
DEPARTMENT OF PLANNING & ZONING
Peoria County Courthouse • Room 301
324 Main Street • Peoria Illinois 61602-1313
Telephone (309) 672-6915 • Fax (309) 672-6075 • TDD: (800) 526-0844
Website: http://www.peoriacounty.org

Kathi Urban, Director

Report to the Zoning Board of Appeals for the October 13, 2022 Public Hearing

Date: October 4, 2022

Request: A Special Use request from Section 20-5.2.2.2.h of the Unified Development Ordinance. This section allows for a special use in the “A-2” Agriculture Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”), of these regulations are met.

Location: SE 1/4 Section 2, Medina Township / E. Rome Rd., Chillicothe, IL 61523 /
PIN 09-02-400-006

Land Use Form: Rural

Current Zoning: “A-2” Agricultural District

Present Use: Agriculture

Size of Site: 78.37 acres

Surrounding Zoning: North: “A-2” Agricultural; “R-1” Low-Density Residential
South: “A-2” Agricultural
East: “A-2” Agricultural
West: “A-2” Agricultural

Surrounding Land Uses: North: Residential / Agriculture
South: Agriculture
East: Agriculture / Telecommunications
West: Agriculture

Public Services: Fire: Chillicothe Fire Protection District
Schools: IVC #321

Transportation: E. Rome West Road, County Non-primary highway; N. Wayne Rd., Medina Township collector road

Pertinent Zoning Cases
On Site: Special Use case #072-18-U

Pertinent Zoning Cases
In Surrounding Area: Special Use cases #025-18-U, #026-18-U, #053-18-U, and #061-18-U

Department of Planning and Zoning Recommendation: APPROVAL WITH RESTRICTIONS
Case Analysis

Request and Location: The petitioner, EDPRNA DG Illinois Development, LLC, requests a Special Use to operate a 4.95MWac Solar Energy Generation Facility in the “A-2” Agricultural Zoning District. Solar Energy Generation Facilities may be established as a special use in the “A-2” District provided that they meet the conditions of Section 20-7.17, “Ground Mounted Solar Energy Equipment.” According to the petition, EDPRNA DG Illinois Development, LLC is a wholly owned subsidiary of EDP Renewables North America LLC, which develops, constructs, owns, and operates wind and solar energy systems throughout North America. To date, the company has developed 13 solar projects in Illinois. The petitioner states that the proposed facility would occupy approximately 35 acres of the 78.37-acre subject parcel. The petitioner states that the project would consist of 11,088 panels, each with a generating capacity of 585 W, which would be mounted on a racking system with a maximum possible combined height of 10 feet. The subject parcel is located along E. Rome West Road in the Southeast Quarter of Section 2 in Medina Township.

Pertinent Zoning Cases on Site: Special use case #072-18-U, filed by AES DE DevCo NC, LLC, was a request to develop two co-located 2 MW Solar Energy Generation Facilities in the “A-2” Agricultural Zoning District. The solar equipment was proposed to operate on approximately 40 acres of the subject 78.37-acre parcel. On November 8, 2018, the Zoning Board of Appeals recommended approval with restrictions, and on December 3, 2018, the County Board approved the request with restrictions. According to document #2021004293 filed with the Peoria County Recorder of Deeds, the solar energy land lease between AES DE DevCo NC, LLC and the subject property owners was terminated on December 22, 2020.

Pertinent Zoning Cases in Surrounding Area: Special use case #025-18-U, filed by FFP Community Solar, LLC, was a request to develop a 2 MW Solar Energy Generation Facility in the “A-2” Agricultural Zoning District. The subject parcel for case #025-18-U was on Cloverdale Rd., approximately 2 miles north of the subject request. On June 14, 2018, the County Board approved the request with restrictions. This project has not yet been developed.

Special use case #026-18-U, filed by FFP Community Solar, LLC, was a request to develop a 2 MW Solar Energy Generation Facility in the “A-2” Agricultural Zoning District. The proposed site for case #026-18-U was on E. Rome Rd., approximately a half mile to the east of the subject case. On June 14, 2018, the County Board approved the request with restrictions. This project has not yet been developed.

Special use case #053-18-U, filed by FFP Community Solar, LLC, was a request to develop a Solar Energy Generation Facility in the "A-2" Agricultural Zoning District. This request was located approximately 2.8 miles north of the subject parcel on E. Truitt Rd. On August 9, 2018, the County Board approved the request with restrictions. This project has not yet been developed.

Special use case #061-18-U, filed by AES DE DevCo NC, LLC, was a request to develop a Solar Energy Generation Facility in the "A-2" Agricultural Zoning District. This request was located approximately 2.6 miles north of the subject parcel on E. Sycamore St. On October 11, 2018, the County Board approved the request with restrictions. This project has not yet been developed.

Surrounding Zoning and Land Use: The subject parcel is currently zoned “A-2” Agriculture. All surrounding parcels are also zoned “A-2” with the exception of a stretch of “R-1” Low-Density Residential zoning, consisting of the McCabe Rome West Subdivision, to the northwest of the parcel. The subject parcel is currently in row-crop agricultural production. Six single-family dwellings are located to the north of the parcel, including one dwelling which was split from the property in 2015. Based on the petitioner's site plan, the nearest residential dwelling would be located approximately 260 feet from the solar panels, which meets the 75-foot residential setback required by the UDO. To the north, south, east, and west of the parcel are agricultural fields. A cell tower is located in the lower southeast of the parcel off N. Wayne Rd. According to the petition, the likely point of interconnection of the facility would be Ameren’s Hallock Substation, which is approximately 2.8 miles to the northeast of the subject site. The petitioner states that the proposed solar facility would utilize a low height profile, would not generate significant traffic during operation, would not emit odors, and would have a low and imperceptible noise impact. The system would operate at a maximum decibel level of 69 decibels closest to the inverters, which is quieter than the average car at highway speed. The petitioner states that the inverters will be located 150 feet from the nearest residential property. Accordingly, the petitioner expects a negligible impact to any nearby properties. While the proposal is not agricultural, it is not expected to affect agricultural practices.
**Technical Adequacy:** The subject parcel is currently zoned “A-2” Agriculture. Section 20-5.2.2.2.h of the Unified Development Ordinance (UDO) allows for a special use for a solar energy generation facility in the “A-2” district, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”) are met. The UDO defines a solar energy generation facility as a facility consisting of ground mounted solar collectors and supplementary solar energy equipment used to produce electric power that is either the stand alone use or one of the principal uses for the parcel of land on which it is located. In a Solar Energy Generation Facility, the electric power may be used onsite, but its primary purpose is to generate electric power for offsite utility bill credit, subscription sale, retail sale, or wholesale. The petitioner requests to construct a 4.95-megawatt “community solar” solar energy generation facility.

Section 7.17.3 (“Standards for a Solar Energy Generation Facility”), sections 1-3, address the setbacks, height, and minimum conditions for a special use permit for a Solar Energy Generation Facility. The petitioner addresses these standards as listed, for reference, here:

- **Setbacks.** The project must meet road and side setbacks in the “A-2” Zoning District. The minimum distance to a principal residential dwelling must be at least 75 feet. The required road setback from E. Rome Rd., a non-primary County Highway, is 125 feet from the centerline of the right-of-way. The required road setback from N. Wayne Rd., a township collector road, is 95 feet from the centerline of the right-of-way. The required side and rear setbacks are 30 feet. The petitioner’s site plan demonstrates that the solar project will comply with road, side, and rear setback requirements, as well as the horizontal separation distance to the nearest residential dwelling.

- **Height.** The maximum height in the “A-2” Zoning District is 36 feet. The petitioner states that the panels will be mounted on a racking system with a maximum possible combined height of 10 feet.

- **Design and Installation.** The UDO requires solar facilities to minimize glare and reflection. The petitioner states that the company will comply with all design and installation restrictions.

- **Lighting.** The UDO requires that lighting be limited to security and safety purposes only. The petitioner states that the company may install security lighting at the entrance and in select project facility locations as needed. All lighting would be downlit.

- **Security Fencing:** The UDO requires a secured perimeter fence of 6 to 8 feet in height. The petitioner states that the proposed fence is a 7-foot chain link fence.

- **Warning Signage.** The UDO requires “High Voltage” signs on the perimeter fence at a maximum of 300 feet apart and a sign at all entrances with the facility’s 911 address and 24-hour emergency contact. The petitioner states that the company will comply with all signage requirements at points of ingress and on the site perimeter. The signage would include a facility sign to list the 911 address and 24-hour emergency contact number at every entrance.

- **Utility Connection.** The UDO requires proof of application for interconnection from the electric utility company. The petitioner has included Ameren Illinois’ pre-application report with the special use application. Based on this report, the likely substation to serve the proposed point of interconnection (POI) for this project is the Hallock Substation. Ameren must still review the full interconnection, which will be completed prior to obtaining any building permits.

- **Fire Safety.** The petitioner has included the required letter from the Chillicothe Fire District stating that the District finds no cause for objection at this time for the proposed solar project.

- **Roads.** The petitioner provided the required letters from the County Highway Department and the Township Road Commissioner. The County Highway Department does not have an objection to the solar project moving forward in the Peoria County Zoning process. Before access to the subject property is granted, representatives from EDP Renewables will need to meet with Peoria County Highway Department staff for access permits and road use agreements. Medina Township Road Commissioner W. Franklin Sturm, II has commented that Medina Township does not have an objection to this project moving forward. The Township would prefer that Wayne Road, a township roadway located east of the site, was not used for construction access or material delivery.

- **Endangered Species and Wetlands.** The petitioner has included a copy of the results of the IDNR EcoCAT consultation. IDNR reviewed and terminated the consultation based on the results of such review.
• **Compliance with Additional Regulations.** The petitioner has included the receipt of notice submitted to the Federal Aviation Administration. The petitioner has also included a receipt stating that the project does not exceed Notice Criteria. In addition, the petitioner will work with Peoria County and the relevant federal and state authorities in connection with obtaining the required building permits.

Section 20-7.17.3.4, “Minimum Conditions for a Building Permit,” also requires that the petitioner obtain the necessary building permits and stormwater and erosion control permits. Additionally, an Illinois licensed professional engineer shall certify that the construction and installation of the solar energy generation facility meets or exceeds the manufacturer's construction and installation standards and the officially adopted codes of Peoria County.

Pursuant to Section 20-7.17.5, “ Decommissioning Plan,” the petitioner must submit and maintain a decommissioning plan with financial security to ensure the solar project is properly removed upon the end of the project life or facility abandonment. The decommissioning plan shall include the removal of all structures, including solar energy equipment and fencing, and debris to a depth of four (4) feet, restoration of the soil, and restoration of vegetation within six (6) months of the end of project life or facility abandonment. The owner shall restore the land to a condition reasonably similar to its condition before the development of the solar project, including the replacement of topsoil. Additionally, financial security must remain valid through the life of the project, and an updated decommissioning plan including estimated costs prepared by an Illinois licensed professional engineer and financial security must be submitted to the Zoning Administrator every four (4) years.

A LESA was conducted on the parcel. The site scored 60.8 out of 100 for the agland evaluation and 113.9 out of 200 for the site assessment component. The overall LESA score was 174.7 out of 300, which is a low rating for agricultural protection.

**Environmental Impacts:** The proposed use was reviewed and approved by the Illinois Department of Natural Resources (IDNR) with regard to the presence of endangered species, archaeological resources, and/or historical resources. An EcoCAT (Ecological Compliance Assessment Tool) report was conducted on the subject property. According to the report, the Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location. The IDNR consultation was terminated, based on the results of the review. Per 505 ILCS 147, Renewable Energy Facilities Agricultural Impact Mitigation Act, the petitioner shall enter into an agricultural impact mitigation agreement with the Department of Agriculture outlining construction and deconstruction standards and policies designed to preserve the integrity of any agricultural land that is impacted by the solar project. The petitioner states that all necessary environmental permits will be obtained as part of the development process, and the project will comply with federal, state, and local environmental regulations and permit requirements. The petitioner also plans to employ native pollinator-friendly seed mixes at the site, which help to capture and filter storm water, build topsoil, and provide abundant and healthy food for bees and other insects. According to the petitioner, no well or septic system exist at the subject property. The petitioner has also stated that the system would operate at a maximum decibel level of 69 decibels closest to the inverters, which is quieter than the average car at highway speed. The petitioner's request should not have a negative impact on the surrounding environment. At the time of the Peoria City/County Health Department's review, no conditions were found that would cause the Department to recommend denial of the request.

**Transportation Impacts:** The subject parcel has frontage on E. Rome West Rd., a County Non-primary Highway, and N. Wayne Rd., a Medina Township collector road. The petitioner proposes a new 300-foot-long access road from Rome West Rd. Access from N. Wayne Rd. is not currently proposed. In a 24-hour period, the 2017 IDOT Traffic Map shows an average of 1,000 vehicle trips for this section of Rome West Rd. and an average of 400 vehicle trips for this section of N. Wayne Rd. The petitioner states that the project will not require daily work at the site, and work activities will typically occur during daylight hours for both construction and operation. The petitioner has also stated that construction is expected to start at the beginning of 2024 and last 4 to 8 months. The petitioner anticipates 30 to 40 deliveries on flatbed trucks for the installation. Following installation, the petitioner expects the site to be visited for routine maintenance no more than once a quarter. The County Highway Department does not have an objection to the solar project moving forward in the Peoria County Zoning process. Before access to the subject property is granted, representatives from EDP Renewables will need to meet with Peoria County Highway Department staff for access permits and road use agreements. Medina Township Road Commissioner W. Franklin Sturm, II has commented that Medina Township does not have an objection to this project moving forward. The Township would prefer that Wayne Road, a township roadway located east of the site, was not used for construction access or material delivery.
**Land Use Form:** The Peoria County Future Land Use Form Map designates this area as Rural. The primary uses in the Rural Land Use Form are agriculture, open space and residential. Solar Energy Generation Facilities are not an identified use in the Peoria County Comprehensive Land Use Plan, which was adopted in 2009. The use is compatible with the primary uses in the Rural Land Use Form because it does not create dust or odor or conflict with residential or agricultural uses. The petitioner plans to employ native pollinator-friendly seed mixes at the site, which help to capture and filter storm water, build topsoil, and provide abundant and healthy food for bees and other insects. The use also agrees with the Agriculture Preservation theme of the County Land Use Plan. The petitioner’s request to operate a solar energy generation facility will keep the subject parcel as an intact agricultural parcel which can return to agricultural usage following the decommissioning of the project. As opposed to other forms of development which may permanently remove farmland from production, the solar project is expected to have minimal impact on the farmland during its operation, and the project would provide the landowners with a steady source of income while their farmland is not in production. Additionally, the petitioner will be required to submit and maintain a decommissioning plan with financial security prior to the issuance of a building permit, and this decommissioning plan will ensure that the solar energy generation facility is properly removed at the end of the project life. The use is also consistent with the County Land Use Plan Environmental Stewardship principle that private entities use environmentally friendly technology. The use is also supported by the Peoria County Growth Strategy of generating economic opportunity and stability. The proposal would create steady income for the landowners, generate economic activity, especially during the construction period, and provide the opportunity for residents and businesses to support environmentally friendly technology. The request is within the 1 ½ mile extraterritorial jurisdiction of the City of Chillicothe. The City of Chillicothe Comprehensive Plan 2014 Update does not include this area in its future land use plan. The Medina Township Planning Commission has commented that they have no strong objection to the development and use of this property as a solar farm and will defer to the County for final approval.
Conclusions

Consistency with Adopted County Plan. The special use request is for a 4.95MW Solar Energy Generation Facility. The Peoria County Future Land Use Form Map designates this area as Rural. Uses allowed in the Rural Land Use Form are agriculture, open space and residential. While the use is not agricultural or residential, it will not disrupt surrounding farming activity and is designed to have minimal impact on surrounding residential uses. The use agrees with the Agriculture Preservation theme of the County Land Use Plan. The petitioner’s request to operate a solar energy generation facility will keep the subject parcel as an intact agricultural parcel which can return to agricultural usage following the decommissioning of the project. The request is consistent with the Peoria County Land Use Plan Environmental Stewardship principle that private entities utilize environmentally friendly technology. The use is supported by the Peoria County Growth Strategy to generate economic opportunity and stability. The request is within the 1 ½ mile extraterritorial jurisdiction of the City of Chillicothe. The City of Chillicothe Comprehensive Plan 2014 Update does not include this area in its future land use plan. The Medina Township Planning Commission has commented that they have no strong objection to the development and use of this property as a solar farm and will defer to the County for final approval.

Consistency with Community Character. The primary uses in the surrounding area are agriculture and residential. The use is not agricultural or residential but is designed to have minimal disruption on agricultural uses and residential properties on adjacent land. The use does not create dust or odors. The closest residence exceeds the setback of 75 feet, and Ameren’s Hallock Substation is approximately 2.8 miles to the northeast of the project area. The project’s inverters will be located 150 feet from the nearest residentially used parcel. The proposed project would operate continuously once construction is complete and would not require daily work at the site.

Minimizing Adverse Effects. The request is designed for low impact on adjacent properties. The panels would be mounted on a racking system with a maximum possible combined height of 10 feet. The facility would be secured by a 7-foot-tall perimeter fence. The proposal would not produce odor or dust, and the noise level is expected to be negligible from residential uses in the area. The proposal is designed for minimal impact on soils. The proposal does not require a private wastewater disposal system and will have a vegetative ground cover. The petitioner must provide a decommissioning plan and financial security with the building permit application. The petitioner states that the project will not require daily work at the site, and work activities will typically occur during daylight hours for both construction and operation. Following installation, the petitioner expects the site to be visited for routine maintenance no more than once a quarter. Expected impact to the transportation system is limited.

Presence of Natural/Historical Resources. The petitioner consulted the Illinois Department of Natural Resources, which found no known natural or historical resources near the project. The request should not impact any known natural or historical resources.

Compliance with Additional Standards. The site plan meets all requirements for a Solar Energy Generation Facility in accordance with the Unified Development Ordinance. If this request is granted, the petitioner understands that building permits, including an electrical permit and fence permit, are required. The applicant must also meet stormwater and erosion control requirements per the UDO. Part of the requirement for a building permit includes the submittal of a decommissioning plan with financial security in accordance with Section 20-7.17.5. The decommissioning plan with financial security will need to be renewed to the Zoning Administrator every four years. The petitioner provided comment from the road jurisdiction and acknowledged that all applicable access permits will be attained prior to construction. The applicant also recognizes, after construction, that an installation certificate from an Illinois licensed professional engineer must be submitted before a certificate of completion can be issued.
Zoning Board of Appeals
October 13, 2022

Future Land Use Form
Staff Recommendation

Based on the above information, the Department recommends approval with restrictions:

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Medina Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 ("Decommissioning Plan") of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

Respectfully submitted,

Taylor Armbruster
Planner I

Kathi Urban
Director
## Land Evaluation and Site Assessment Survey

### Summary Sheet

<table>
<thead>
<tr>
<th>Category</th>
<th>Unweighted Site Points</th>
<th>Total Points</th>
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</thead>
<tbody>
<tr>
<td><strong>Agricultural Land Use</strong></td>
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</tr>
<tr>
<td>Percent of land in agriculture (within 1.5 miles)</td>
<td>9</td>
<td>16.2</td>
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<tr>
<td>Percent of land in agriculture adjacent to site</td>
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<td>14</td>
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<tr>
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<td>14.4</td>
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<td>Distance from urban services</td>
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<tr>
<td>Impacts on historical/cultural features</td>
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<td><strong>Urban Infrastructures</strong></td>
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<td>Availability of public water</td>
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<td>6.3</td>
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<td><strong>Land-Use Feasibility</strong></td>
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<td></td>
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<tr>
<td>Soil suitability</td>
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<td>Size of site</td>
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<td><strong>Adopted Plans</strong></td>
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<tr>
<td>Consistency with county plan</td>
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<td>0</td>
</tr>
<tr>
<td>Consistency with municipal plan</td>
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<td>0</td>
</tr>
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</table>

| Subtotal                                      |                        |              |
| Site Assessment Subtotal                       |                        | 113.9        |
| Agland Evaluation Subtotal                     |                        | 60.8         |
| **Total Points Accrued**                       |                        | 174.7        |
| **Protection Evaluation**                      |                        | Low rating for protection |
### Site Assessment Worksheet

<table>
<thead>
<tr>
<th>Site Assessment Factors</th>
<th>Range of Points</th>
<th>Points Assigned</th>
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<tr>
<td><strong>Agricultural Land Use</strong></td>
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<tr>
<td>Percent of land in agriculture (within 1.5 miles)</td>
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</tr>
<tr>
<td>90% or more</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>75% - 89%</td>
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<td></td>
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<tr>
<td>50% - 74%</td>
<td>6</td>
<td></td>
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<td>25% - 49%</td>
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<td></td>
</tr>
<tr>
<td>under 25%</td>
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<td></td>
</tr>
<tr>
<td>Percent of land in agriculture adjacent to site</td>
<td></td>
<td></td>
</tr>
<tr>
<td>90% or more</td>
<td>10</td>
<td>10</td>
</tr>
<tr>
<td>75% - 89%</td>
<td>9</td>
<td></td>
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<tr>
<td>25% - 49%</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>under 25%</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Percent of site farmed</td>
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<td></td>
</tr>
<tr>
<td>75% - 100%</td>
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<td>50% - 74%</td>
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<td>49% - 25%</td>
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<td>under 25%</td>
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<tr>
<td><strong>Zoning</strong></td>
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<td></td>
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<tr>
<td>Percent of land zoned agriculture (within 1.5 miles)</td>
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<td></td>
</tr>
<tr>
<td>90% or more</td>
<td>10</td>
<td>9</td>
</tr>
<tr>
<td>75% - 89%</td>
<td>9</td>
<td></td>
</tr>
<tr>
<td>50% - 74%</td>
<td>6</td>
<td></td>
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<tr>
<td>25% - 49%</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>under 25%</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Availability of zoned land</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Many other adequate sites available</td>
<td>10</td>
<td>5</td>
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<tr>
<td>Some other adequate sites available</td>
<td>5</td>
<td></td>
</tr>
<tr>
<td>No other adequate sites available</td>
<td>0</td>
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Compatibility/Impact of Uses
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<tr>
<th>Distance from urban services</th>
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<tr>
<td>Over 1.5 miles</td>
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<tr>
<td>1.5 - 1.01 miles</td>
<td>9</td>
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<td>1.0 - .5 miles</td>
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<td>.49 - .25 miles</td>
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<td>.24 miles or less</td>
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<td>Environmental impact</td>
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<td>Negative impact</td>
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</tr>
<tr>
<td>Little or none with special design or</td>
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<tr>
<td>protective measures</td>
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<td>Little or none</td>
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<td>Compatibility with surrounding area</td>
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<td>Negative impact</td>
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<td>Minor impact</td>
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<td>No impact</td>
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<td>Urban Infrastructures</td>
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<td>Transportation accessibility</td>
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<td>Private road</td>
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<td>Unimproved township road</td>
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<td>Improved township road</td>
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<td>County highway</td>
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<tr>
<td>State highway</td>
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<tr>
<td>Interstate highway</td>
<td>1</td>
</tr>
<tr>
<td>(within 1 mile of interchange)</td>
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<tr>
<td>Full range: bus, rail, highway</td>
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<tr>
<td>Availability of central sewer</td>
<td>7</td>
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<tr>
<td>None within 1.5 miles</td>
<td>10</td>
</tr>
<tr>
<td>Sewer line within 1.5 miles</td>
<td>7</td>
</tr>
<tr>
<td>Sewer line within .5 miles</td>
<td>5</td>
</tr>
<tr>
<td>Sewer line within .25 miles</td>
<td>0</td>
</tr>
<tr>
<td>Availability of public water</td>
<td>7</td>
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<tr>
<td>None within 1.5 miles</td>
<td>10</td>
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<tr>
<td>Sewer line within 1.5 miles</td>
<td>7</td>
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<tr>
<td>Sewer line within .5 miles</td>
<td>5</td>
</tr>
<tr>
<td>Sewer line within .25 miles</td>
<td>0</td>
</tr>
<tr>
<td>Land-Use Feasibility</td>
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</tr>
<tr>
<td>Soil suitability</td>
<td>7</td>
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<tr>
<td>Restricted use of septic systems</td>
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<tr>
<td>Special management needed</td>
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<tr>
<td>Few limitations or public sewer avail.</td>
<td>0</td>
</tr>
<tr>
<td>Size of site</td>
<td>9</td>
</tr>
<tr>
<td>100 acres or more</td>
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<tr>
<td>Acres Range</td>
<td>Count</td>
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<td>---------------------</td>
<td>-------</td>
</tr>
<tr>
<td>40 - 99 acres</td>
<td>9</td>
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<tr>
<td>20 - 39 acres</td>
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<tr>
<td>5 - 19 acres</td>
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<tr>
<td>less than 5 acres</td>
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</table>

**Future need for expansion**
- Expansion highly probable in 10 yrs.: 10
- Expansion possible in 10 yrs.: 5
- Expansion unlikely in 10 yrs.: 0

**Adopted Plans**

**Consistency with county plan**
- Incompatible with plan: 10
- Compatible with plan, but not map: 2
- Totally compatible: 0

**Consistency with municipal plan**
- Inconsistent with plan, or parcel is more than 1.5 miles from City/Village: 10
- Within 1.5 miles, no plan recorded: 5
- Consistent with municipal plan and within 1.5 miles of City/Village: 0
## Agland Evaluation Worksheet

<table>
<thead>
<tr>
<th>Soils</th>
<th>Ag Group</th>
<th>Relative Value</th>
<th>Acres</th>
<th>Product</th>
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<td>439B</td>
<td>4</td>
<td>80</td>
<td>17.40</td>
<td>1392.00</td>
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<tr>
<td>54B</td>
<td>7</td>
<td>54</td>
<td>34.82</td>
<td>1880.28</td>
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<tr>
<td>54D</td>
<td>8</td>
<td>47</td>
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<td>35.72</td>
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<tr>
<td>87B</td>
<td>6</td>
<td>64</td>
<td>20.98</td>
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<td>54B</td>
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<td>1.60</td>
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<td>1.55</td>
<td>0.00</td>
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</table>

Totals: 78.37  4763.97

Land Evaluation Points  60.8
Legal Description

The East Half of the Southeast Quarter of Section 2 in Township 10 North, Range 8 East of the Fourth Principal Meridian, excepting therefrom the portions described as follows: First exception: Commencing at the Southeast corner of the Southeast Quarter of Section 2; thence North along the East line of the Southeast Quarter of said Section 2, a distance of 601.95 feet; thence West, a distance of 25.00 feet to a point on the West right-of-way line of Wayne Road and the Point of Beginning of the tract to be described; thence North along the West right-of-way line of Wayne Road, a distance of 100.00 feet; thence South, a distance of 100.00 feet; thence East, a distance of 100.00 feet to the Point of Beginning, containing 0.30 acres, more or less, situate, lying and being in the County of Peoria and the State of Illinois. Medina Township. Second Exception: Commencing at an iron rod at the Northeast corner of the Southeast Quarter of said Section 2; thence South 89 degrees 41 minutes 25 seconds West, along the North line of said Southeast Quarter, a distance of 345.12 feet to the Place of Beginning of the tract to be described; thence South 05 degrees 48 minutes 34 seconds East, a distance of 273.82 feet to an iron rod; thence South 55 degrees 43 minutes 54 seconds West, a distance of 56.79 feet to an iron rod; thence South 87 degrees 22 minutes 47 seconds West, a distance of 121.18 feet to an iron rod; thence North 54 degrees 45 minutes 48 seconds West, a distance of 38.56 feet to an iron rod; thence North 05 degrees 48 minutes 34 seconds West, a distance of 288.07 feet to a point on said North line of the Southeast Quarter; thence North 89 degrees 41 minutes 25 seconds East, along said North line, a distance of 200.92 feet to the Place of Beginning and containing 1.40 acres, more or less, subject to the right-of-way of a public road along the North side of the above described tract and also subject to all easements of record. (Medina Township 09-02-400-006)
MINUTES OF THE DELIBERATION OF THE
PEORIA COUNTY ZONING BOARD OF APPEALS

A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, October 13, 2022. The meeting was called to order by J. Greg Fletcher – Vice Chairperson at 9:00 a.m.

PRESENT: J. Greg Fletcher– Vice Chairperson, Chris Duncan, Randy Weber, Stephen Pollack, Greg Happ

ABSENT: Linda O’Brien – Chairperson, Robert Asbell, LaVonne Sammis, Justin Brown

STAFF: Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Jennie Cordis Boswell – Civil Assistant State’s Attorney
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-040 at 10:30 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of EDPRNA DG ILLINOIS DEVELOPMENT, LLC (A limited liability company, Gustavo Monteiro - CEO, of Lisbon, Portugal, Nuno Goncalves – CFO and Meredith Berger Chambers – Secretary, of 1501 McKinney St., Suite 1300, Houston, TX 77010, Richard Dovere – CIO and Candice Michalowicz – COO, of 100 Park Ave, Floor 24, New York, NY 10017), acting on behalf of STEVEN T. AND ROBERTA J. MILLER (owners), a SPECIAL USE request from Section 20-5.2.2.2.h of the Unified Development Ordinance. This section allows for a special use in the “A-2” Agriculture Zoning District for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 (“Ground Mounted Solar Energy Equipment”), of these regulations are met.

FINDINGS OF FACT FOR SPECIAL USES
Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   • The Special Use request is consistent with the Agricultural Preservation theme of Peoria County Land Use plan which indicates Peoria County has a strong desire to help agricultural operators in preserving the family farm, while at the same time allow for reasonable opportunities for new development. The proposed solar project will allow the subject parcel to, following decommissioning, return to agricultural use. The proposed solar project will provide clean energy generation while minimizing impact on the landscape.
2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
   - The subject parcel and almost all surrounding parcels are zoned "A-2" Agricultural Preservation with an area of residential to the north. The proposed solar project will consist of a 4.95 MW photovoltaic community scale solar facility covering about 35 acres. The petitioner’s request is consistent with the A-2 agriculturally productive land uses and zoning in the area.

3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
   - The petitioner's request is designed to minimize adverse effects and visual impacts on adjacent properties. The solar panels will be constructed with an anti-reflective coating to minimize glare. A 6–8-foot fence with privacy landscape screening, will surround all of the panels as well as electrical equipment, and will be secured by a locked gate. The project will also consist of landscaping and vegetation maintenance in order to limit runoff. The petitioner will comply with right-of-way, side, rear and residential setback requirements. Downlit lighting will be installed. A decommissioning plan with financial security must be submitted prior to the issuance of a building permit. Construction of the solar project will take approximately 8 months, with peak construction lasting a few months. The petitioner has stated that post-construction will generate minimal traffic, solely in connection with ongoing operations and maintenance. The petitioner has been in contact with the Peoria County Highway Department, as well as Medina Township, in regard with construction travel and repair of any damaged roads, and with the Chillicothe Fire District.

4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
   - The Illinois Natural Heritage Database indicates there is no record of State-listed threatened or endangered species, Illinois Natural Inventory sites, dedicated Illinois Nature Preserves or registered Land and Water Reserves in the vicinity of the proposed project location. The request should have no bearing on any known natural or historical resources.

5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
   - The petitioner's site plan meets all requirements for a Solar Energy Generation Facility in accordance with the Unified Development Ordinance. Should the Special Use be granted, the petitioner will be responsible for obtaining all required permits from the department of Planning and Zoning, as well as the County Highway Department and Medina Township. A decommissioning plan with financial security must be submitted prior to the issuance of a building permit. If this special use is granted, the petitioner will also abide by the restrictions set forth by the Peoria County Department of Planning and Zoning.
A motion to approve the Findings of Fact was made by Mr. Weber and seconded by Mr. Duncan. Five affirmative votes; (5-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Duncan. A vote was taken, and the motion was approved; (5-0)

Meeting adjourned at 11:00 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD

COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Approval of Special Use, Petition of EDPRNA DG Illinois Development, LLC.

RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for a Solar Energy Generation Facility, provided that the conditions in Section 7.17 ("Ground Mounted Solar Energy Equipment") are met, in the “A-2” Agricultural Zoning District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on October 13, 2022 in Case No. ZBA-2022-0040; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on October 13, 2022, and voted to recommend approval of the Special Use; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on October 24, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-0040 is hereby approved with the following restriction:

1. Ground under solar arrays shall be planted and maintained in perennial vegetative ground cover.
2. All transformers and inverters must be located at least 150 feet from the nearest existing residentially used property to mitigate the noise heard on adjacent residential properties.
3. Required permits, including building permits, electrical permits, fence permits, and stormwater and erosion control permits, must be obtained from the Peoria County Department of Planning and Zoning prior to construction.
4. The applicant must obtain all required overweight and access permits from the Peoria County Highway Department and the Princeville Township Road Commissioner.
5. The Solar Energy Generation Facility shall be required to have a decommissioning plan that meets the requirements of Section 20-7.17.5 ("Decommissioning Plan") of the Unified Development Ordinance. Said plan shall be submitted and approved prior to the issuance of the building permit. Financial security must remain valid through the life of the project. Through the life of the project, the owner of the Solar Energy Generation Facility must provide the Zoning Administrator an updated decommissioning plan, including updated estimated costs and updated financial security, every four years.
6. Except during a valid permit period or scheduled maintenance, which may or may not require a permit, the special use does not include the outdoor storage of equipment or materials.
7. Execution of an Agricultural Impact Mitigation Agreement (AIMA) pursuant to the Renewable Energy Facilities Agricultural Impact Mitigation Act (505 ILCS 147) shall be required. A copy of this agreement shall be submitted to the Peoria County Department of Planning and Zoning prior to issuance of a building permit.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: October 24, 2022
LINE ITEM: N/A
AMOUNT: N/A

ISSUE: ZBA Case #ZBA-2022-0042. A Special Use request from Section 20-5.5.2.2.c which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis in the “R-2” Medium Density Residential Zoning District.

BACKGROUND/DISCUSSION: This case is in District #13, which is County Board member Jim Fennell’s district. The petitioner, Lisa Rogers, requests a Special Use from Section 20-5.5.2.2.c of the Unified Development Ordinance, which allows for a Special Use for Overnight Accommodations. The petitioner requests to offer the 5-bedroom single-family dwelling at the property for rent on a short-term basis. The petitioner also intends to continue living at the dwelling when it is not being rented. The parcels are located at 13228 N. River Beach Dr. in the Southwest Quarter of Section 13 in Medina Township. There are 0 consents and 0 objections on file. The parcels are zoned “R-2” Medium Density Residential and consist of single-family dwelling, an attached garage, and two vacant lots used as a recreational side yard. All surrounding parcels are zoned “R-2.” The Lincoln and Southern railroad is located to the north, single-family dwellings are located to the north and west, and the Illinois River is located to the southeast. The petitioner’s request is consistent with the single-family residential character of the surrounding area. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO. No conditions were found that would cause the Peoria City/County Health Department to recommend denial of the request. The Department recommends that the property owner leave information on their water and wastewater systems for guests so that their systems are properly cared for and maintained. The Department also recommends that the property owner have guests notify them of any problems with these systems during their stay. The parcels have frontage along N. River Beach Dr., a township collector road. For the single-family dwelling land use, the Trip Generation Report shows, per resident, an average of 2.48 vehicle trips on a Saturday and 2.42 vehicle trips on a Sunday. The Report also cites for the assisted living land use, similar to a residential care home, an average of 2.93 trips on a Saturday and 3.15 trips on a Sunday, per occupied bed. Were an assisted living facility to support 8 residents, the trip generation would be approximately 23.44 trips on a Saturday and 25.2 trips on a Sunday. The maximum number of 8 property guests would generate about 19.84 trips on a Saturday and 19.36 trips on a Sunday, if each guest arrived in their own vehicle. The potential traffic generated by the proposed use is less than the projected traffic generation for a residential care home, a permitted use in the R-2 District. The County Highway Department will refer to the Medina Township Road Commissioner, as River Beach Dr. is maintained by the road district. The petitioner’s request is consistent with the Environmental Corridor Land Use Form designation of the Peoria County Comprehensive Land Use Plan. The petitioner’s request is also consistent with the Peoria County Growth Strategy for Economic Development. The Medina Township Planning Commission recommended approval of the petitioner’s request.

COUNTY BOARD GOALS:

STAFF RECOMMENDATION: Approval with the following restrictions:

1. The Special Use is null and void in the event that the subject parcels are no longer owned by Lisa Rogers.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

ZBA RECOMMENDATION: Approval with restrictions (5-0)

COMMITTEE ACTION:

PREPARED BY: Taylor Armbruster, Planner I
DEPARTMENT: Planning & Zoning
DATE: October 13, 2022
Report to the Zoning Board of Appeals for the October 13, 2022 Public Hearing

Date: October 4, 2022

Case/Petitioner: ZBA-2022-0042 / Lisa Rogers / 13228 N. River Beach Dr., Chillicothe, IL 61523

Request: A Special Use request from Section 20-5.5.2.2.c which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis in the “R-2" Medium Density Residential Zoning District.

Location: SW 1/4 Section 13, Medina Township / 13228 N. River Beach Dr., Chillicothe, IL 61523 / Parcel IDs 09-13-326-028, 09-13-326-014, and 09-13-326-030

Land Use Form: Agriculture, River Freight, and Environmental Corridor

Current Zoning: “R-2” Medium Density Residential

Present Use: Residential

Size of Site: 0.70 acres

Surrounding Zoning: North: “R-2” Medium Density Residential
South: “R-2” Medium Density Residential
East: “R-2” Medium Density Residential
West: “R-2” Medium Density Residential

Surrounding Land Uses: North: Residential
South: Residential
East: Illinois River
West: Railroad

Public Services: Fire: Chillicothe Community FPD
Schools: Chillicothe IVC District #321
Water: Private well
Sewer: Private septic

Transportation: N River Beach Dr., Medina Township collector road

Pertinent Zoning Cases On Site: None.

Pertinent Zoning Cases In Surrounding Area: Zoning Cases #ZBA-2021-000033, #ZBA-2021-000040, and #ZBA-2022-000007

Department of Planning and Zoning Recommendation: APPROVAL WITH RESTRICTIONS
Case Analysis

Request and Location: The petitioner, Lisa Rogers, requests a Special Use to provide Overnight Accommodations in the “R-2” Medium Density Residential Zoning District. Overnight accommodations may be established as a special use in the R-2 District provided that they meet the requirements set forth in Section 7.8 (“Overnight Accommodations”) and provided that no more than five rooms or suites are rented and that rooms are not rented for a period of more than fourteen days. The petitioner proposes to offer the 5-bedroom single-family dwelling at the property for rent on a short-term basis. The petitioner also intends to continue living at the dwelling when it is not being rented. The special use request consists of a single-family dwelling, an attached garage, and two vacant lots used as a recreational side yard. The subject parcels are located at 13228 N. River Beach Dr. in the Southwest Quarter of Section 13 in Medina Township.

Pertinent Zoning Cases on Site: None.

Pertinent Zoning Cases in Surrounding Area: Zoning case #ZBA-2021-000033, filed by All American Air B & B, LLC, was a request for a Special Use to provide Overnight Accommodations at 13933 N. River Beach Dr., approximately 0.83 miles northeast of the subject property. The County Board approved this request with restrictions on November 11, 2021.

Zoning case #ZBA-2021-000040, filed by Briscoe Financial, LLC, was a request for a Special Use to provide Overnight Accommodations at 15414 N. River Beach Dr., approximately 2.48 miles northeast of the subject property. The County Board approved this request with restrictions on January 13, 2022.

Zoning case #ZBA-2022-000007, filed by Briscoe Financial, LLC, was a request for a Special Use to provide Overnight Accommodations at 15326 N. River Beach Dr., approximately 2.43 miles northeast of the subject property. The County Board approved this request with restrictions on March 10, 2022.

Surrounding Zoning and Land Use: The subject parcels and all surrounding parcels are zoned “R-2” Medium Density Residential. The subject parcels consist of a single-family dwelling, an attached garage, and two vacant lots used as a recreational side yard. The subject single-family dwelling consists of 2,664 square feet of living space and contains 5 bedrooms. To the northwest of the property is the Lincoln and Southern Railroad, and to the northeast and southwest are single-family dwellings. The Illinois River lies to the southeast, and the parcels have approximately 150 feet of combined frontage on the water. Single-family dwellings are the principal land use along N. River Beach Dr. and this part of the Illinois River. The petitioner requests to offer the single-family dwelling at the subject property as an overnight accommodation on a short-term basis. The petitioner also intends to continue living at the dwelling when it is not being rented. The petitioner has stated that she expects the dwelling to be rented 3 out of 4 weekends per month once the property is at full operational capacity. The subject single-family dwelling includes 5 bedrooms that can accommodate 8 guests, though the petitioner expects 2 to 8 guests for each stay. The property includes Ring doorbells with an alarm in addition to exterior lighting. The petitioner states that no parties will be allowed, and check-in time will be at 3 PM with check-out time at 11 AM. Guests will be able to use the main driveway, which can accommodate up to 4 spaces. The entire house will be rented rather than each room being rented individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner’s request is consistent with the single-family residential character of the surrounding area.

Technical Adequacy: The subject parcels are currently zoned “R-2” Medium Density Residential. Permitted uses in the “R-2” Medium Density Residential District include single-family detached and two-family dwellings, childcare homes, and small or medium residential care homes. A residential care home is defined as a dwelling in which staff persons provide care, education, and participation in community activities for a group of unrelated individuals who have long-term disabilities or handicaps with the primary goal of developing or exercising basic skills for daily living. Medium residential care homes may support up to eight (8) residents. Section 20-5.5.2.2.c of the Unified Development Ordinance (UDO) allows for a special use for overnight accommodations in the R-2 district, provided that: no more than five (5) rooms or suites are rented, and rooms are not rented for a period of more than fourteen (14) days. Development standards for all overnight accommodations are outlined in Section 20-7.8 of the UDO, and Section 20-7.8.1 states that the section applies to all overnight accommodations in the County, regardless of whether they are considered a “bed and breakfast establishment,” “hotel,” “motel,” “boarding house,” “rooming house,” or any other type of commercial establishment where rooms are rented at a daily rate to the general public. Section 20-7.8.5 also requires that the operator keep a log identifying the name, address, and phone number of all guests, and Section 20-7.8.6 requires that overnight accommodations not begin operation until a Certificate of Occupancy has been issued by the Zoning Administrator. The petitioner requests to offer overnight accommodations on a short-term, part-time basis, as the dwelling will still be her primary residence. The petitioner intends
to offer the entire dwelling for rent, which includes 5 bedrooms. The petitioner has also stated that the maximum stay would be 14 days, but she expects most stays to be weekends. The petitioner also expects that the dwelling would be rented 3 out of 4 weekends per month once at full occupational capacity. The petitioner’s proposal is consistent with the UDO’s overnight accommodation requirements.

**Environmental Impacts:** The subject parcel is located in an AE flood hazard area, which has a 1% chance of flooding each year. Building permit #53056 was issued by the Department of Planning and Zoning on November 12, 2007, for the construction of the single-family dwelling at the property. The project received a Certificate of Occupancy from the Department of Planning and Zoning on May 19, 2008. An elevation certificate submitted with permit #53056 demonstrated that all mechanical equipment was properly elevated above the base flood elevation, and the structure met or exceeded flood opening requirements. At the time of the Peoria City/County Health Department’s review, no conditions were found that would cause the Department to recommend denial of the request. It is a recommendation of the Department for the property owner to leave information in regards to their onsite wastewater disposal or potable water system(s) for their guests so that their systems are properly cared for and maintained. It is also recommended that the property owner have their guests notify them immediately of any problems with either their onsite wastewater disposal or potable water systems during the duration of their stay. Provided the requirements of the Peoria City/County Health Department are met, the petitioner’s request to offer overnight accommodations at the subject property should have a minimal effect on the surrounding environment.

**Transportation Impacts:** The subject parcels have 150 feet of road frontage along N. River Beach Dr., a township collector road. The subject dwelling is currently accessed by a concrete driveway off N. River Beach Dr. No new access points are proposed at this time. The 2017 IDOT Traffic Map shows a total of 525 vehicle trips for this part of N. River Beach Dr. The 8th Edition of the Trip Generation Report published by the Institute of Transportation Engineers cites, per single-family dwelling unit, an average rate of 9.44 vehicle trips on a Saturday and 8.55 vehicle trips on a Sunday. The Trip Generation Report also cites, per resident, an average of 2.48 vehicle trips on a Saturday and 2.42 vehicle trips on a Sunday. Were the maximum number of 8 guests to stay at the property, the approximate trip generation would be 19.84 trips on a Saturday and 19.36 trips on a Sunday, if each guest arrived in their own vehicle. Residential care homes are a permitted use in the “R-2” District. For the Assisted Living Land Use, the land use most similar in character to the Residential Care Home definition of the UDO, the Trip Generation Report cites, per occupied bed, an average rate of 2.93 vehicle trips on a Saturday and 3.15 vehicle trips on a Sunday. Were an assisted living facility to support 8 residents, the trip generation would be approximately 23.44 trips on a Saturday and 25.2 trips on a Sunday. Accordingly, the potential traffic generated by the proposed use is less than the projected traffic generation for a residential care home, one of the R-2 district’s permitted land uses. Given the existing traffic volume along this portion of N. River Beach Dr., the petitioner’s request should not have a negative impact on local traffic patterns. The petitioner also intends to continue using the dwelling as her residence when it is not being rented, so the proposal would only affect traffic patterns on the weekends, when the petitioner expects to rent the dwelling. The petitioner has also stated that guest parking will be available in the dwelling’s main driveway, which can accommodate up to 4 spaces. The County Highway Department will defer to the Medina Township Road Commissioner, as River Beach Dr. is maintained by the road district. No comments have been received from the Medina Township Road Commissioner.

**Land Use Form:** The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Agriculture, Environmental Corridor, and River Freight. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The subject properties have approximately 150 feet of combined frontage, including a private beach, on the Illinois River. The petitioner states that renters will be able to appreciate bicycling on paths, nature walks, or kayaking on the river. Accordingly, the petitioner’s request to offer overnight accommodations at the subject property is consistent with the goals of the Land Use Plan, as the proximity to the Illinois River promotes visitor attraction through recreational and eco-tourism opportunities. The petitioner’s request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as the operation of overnight accommodations would provide income for a local business, and visitors to the area would have an additional option for lodging.
Conclusions

Consistency with Adopted County Plan. The request is consistent with the Environmental Corridor Land Use designation of the Peoria County Future Land Use Form Map. The Environmental Corridor Land Use Form recognizes the value of environmental corridors as recreational, residential, and economic attractions, and the Land Use Plan also notes that these resources are a major contributor to the economy via eco-tourism and visitor attraction. The petitioners’ request to offer overnight accommodations at the subject property is consistent with these goals, as the proximity to the Illinois River promotes visitor attraction through recreational and eco-tourism opportunities. The petitioners’ request is also consistent with the Peoria County Growth Strategy of generating economic opportunity and stability, as the operation of overnight accommodations would provide income for a local business, and visitors to the area would have an additional option for lodging.

Consistency with Community Character. The subject parcels and all surrounding parcels are currently zoned “R-2” Medium Density Residential. The subject parcels consist of a single-family dwelling and an attached garage. Single-family dwellings are the principal land use along N. River Beach Dr. and this part of the Illinois River. The entire single-family dwelling at the subject property will be rented rather than each room being rented individually, so the use of the property will be similar to that of a single-family dwelling. The petitioner also intends to continue using the property as her primary residence. The petitioner’s request will be consistent with the surrounding area.

Minimizing Adverse Effects. The subject single-family dwelling includes 5 bedrooms that can accommodate 8 guests. The property includes Ring doorbells with an alarm in addition to exterior lighting. The petitioner states that no parties will be allowed, and check-in time will be at 3 PM with check-out time at 11 AM. The petitioner also states that rentals are expected during and around the weekends with the dwelling being occupied 3 out of 4 weekends per month once at full operational capacity. Guests will be able to use the main driveway, which can accommodate up to 4 spaces. The design of the petitioner’s proposal will minimize adverse effects on adjacent properties.

Presence of Natural/Historical Resources. The request does not impact known natural or historical resources.

Compliance with Additional Standards. Should the special use be granted, the proposed use must comply with the requirements for Overnight Accommodations listed in Section 20-7.8 of the Unified Development Ordinance.
Zoning Board of Appeals
October 13, 2022

Lisa Rogers
1328 N. River Beach Dr., Chillicothe

Peoria County
Roads
□ Townships
○ Subject Parcel

Future Land Use Form
Staff Recommendation

Based on the above information, the Department recommends approval with the following restrictions:

1. The Special Use is null and void in the event that the subject parcels are no longer owned by Lisa Rogers.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

Respectfully submitted,

Taylor Armbruster
Planner I

Kathi Urban
Director

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Legal Description
Lot 11 in South Rome Beach, a Subdivision of Part of Section 13, Township 10 North, Range 8 East of the Fourth Principal Meridian, Peoria County, Illinois, more particularly described as follows: Commencing at the Northwesterly corner of said Lot 11, said corner also being the Point of Beginning of the Tract to be described: From the Point of Beginning, thence North 44 degrees 01 minutes 00 seconds East (bearings are assumed for descriptive purposes) along the Northwesterly line of said Lot 11 a distance of 30.00 feet to the Northeasterly corner of said Lot 11; thence South 45 degrees 10 minutes 18 seconds East along the Northeasterly line of said Lot 11 a distance of 200.00 feet to the Southeasterly Corner of said Lot 11; thence South 44 degrees 01 minutes 00 seconds West along the Southeasterly line of said Lot 11 a distance of 30.00 feet to the Southwesterly Corner of said Lot 11; thence North 45 degrees 10 minutes 18 seconds West along the Southwesterly line of said Lot 11 a distance of 200.00 feet to the Point of Beginning.

Lot 12 in South Rome Beach, a Subdivision of Part of Section 13, Township 10 North, Range 8 East of the Fourth Principal Meridian, Peoria County, Illinois, more particularly described as follows: Commencing at the Northwesterly Corner of said Lot 12, said Corner also being the Point of Beginning of the Tract to be described. From the Point of Beginning, thence North 44 degrees-01 minutes-00 seconds East (Bearings are assumed for descriptive purposes) along the Northwesterly line of said Lot 12 a distance of 30.00 Feet to the Northeasterly Corner of said Lot 12; thence South 45 degrees-10 minutes-18 seconds East along the Northeasterly line of said Lot 12 a distance of 200.00 Feet to the Southeasterly Corner of said Lot 12; thence South 44 degrees-01 minutes-00 seconds West along the Southeasterly line of said Lot 12 a distance of 30.00 Feet to the Southwesterly Corner of said Lot 12; thence North 45 degrees -10 minutes -18 seconds West along the Southwesterly line of said Lot 12 a distance of 200.00 Feet to the Point of Beginning.

Lot 13 In South Rome Beach, a Subdivision of Part of Section 13, Township 10 North, Range 8 East of the Fourth Principal Meridian, Peoria County, Illinois, more particularly described as follows: Commencing at the Northwesterly Corner of said Lot 13, said Corner also being the Point of Beginning of the Tract to be described. From the Point of Beginning, thence North 44 degrees-01 minutes-00 seconds East (Bearings are assumed for descriptive purposes) along the Northwesterly line of said Lot 13 a distance of 30.00 Feet to the Northeasterly Corner of said Lot 13; thence South 45 degrees-10 minutes-18 seconds East along the Northeasterly line of said Lot 13 a distance of 200.00 feet to the Southeasterly Corner of said Lot 13; thence South 44 degrees-01 minutes-00 seconds West along the Southeasterly line of said Lot 13 a distance of 30.00 feet to the Southwesterly Corner of said Lot 13; thence North 45 degrees -10 minutes -18 seconds West along the Southwesterly line of said Lot 13 a distance of 200.00 Feet to the Point of Beginning.

Lot 14 and 15 in South Rome Beach, a Subdivision as shown by the plat thereof recorded in Plat Book "L" at Page 69, except any part of said lots Lying within 17 feet of easterly edge of cement slab now constructed in the road in front of said lots, situated in the County of Peoria and State of Illinois. Being the same property conveyed from Happy Foley, as Trustee of the Happy Foley Declaration of Trust dated March 3, 2011 to Ted L. Rogers and Lisa M.S. Rogers, as joint tenants and not as tenants in common by deed dated March 30, 2011 and recorded April 1, 2011 as Instrument Number 2011007902, of official records. (Medina Township 09-13-326-028, 09-13-326-014, 09-13-326-030)
MINUTES OF THE DELIBERATION OF THE
PEORIA COUNTY ZONING BOARD OF APPEALS

A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, October 13, 2022. The meeting was called to order by J. Greg Fletcher – Vice Chairperson at 9:00 a.m.

PRESENT: J. Greg Fletcher – Vice Chairperson, Chris Duncan, Randy Weber, Stephen Pollack, Greg Happ

ABSENT: Linda O'Brien – Chairperson, Robert Asbell, LaVonne Sammis, Justin Brown

STAFF: Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Jennie Cordis Boswell – Civil Assistant State’s Attorney
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-042 at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of LISA ROGERS, acting on her own behalf, a SPECIAL USE request from Section 20-5.5.2.2.c which allows for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented; and rooms are not rented for a period of more than 14 days. The petitioner proposes to provide overnight accommodations on a short-term rental basis in the “R-2” Medium Density Residential Zoning District.

FINDINGS OF FACT FOR SPECIAL USES
Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   • The petitioner's request to offer overnight accommodations at the subject property is consistent with the Unincorporated Center and Environmental Corridor Land Use designations of the Peoria County Land Use Form Map. The proposed accommodations are in close proximity to the Illinois River and offer recreational, residential, and economic attractions, and in turn are a major contributor to the economy. Granting of the Special Use would allow visitors to the area an additional option for lodging. There are three similar type rentals within a three mile area.

2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
The subject parcel, and all surrounding parcels, are zoned "R-2" Medium Density Residential. The subject parcel is a two-story, 2664 square foot single family dwelling with a 1816 square foot, three-car detached garage. This is a five-bedroom home. Single family dwellings are the principal land use along this stretch of the river. The entire house on the subject property will be rented rather than each room individually.

3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
   • The petitioners have stated that the five-bedroom, single family dwelling, is anticipated to have 2-8 guests per visit and a maximum of 14 days. The revised application states that the owner will only allow 8 people maximum per rental. The average length of stay will be a two-night minimum and a 14-day maximum. The petitioner has also stated that check-in time is after 3 p.m. and check-out time is before 11 a.m. according to the application. Parking will be in the driveway. The home will be equipped with security cameras as well as a Ring type doorbell and alarm to ensure the safety of the guests and the surrounding premises. The design of the petitioner’s proposal, as well as restrictions proposed by staff, will minimize adverse effects on adjacent properties.

4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
   • This request does not impact known natural or historical resources.

5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
   • A building permit must be obtained for any future renovations at this property, and any new construction or alterations must meet floodplain development standards in accordance with Section 20-7.14. If the Special Use is granted, the proposed use must comply with the requirements for Overnight Accommodations listed in the Unified Development Ordinance, which includes "Length of Stay" which is no more than 14 days in the "R-2" district. Section 20-7.8.5 requires a record of guests for the operator to log names, addresses, and phone numbers of all guests. Section 20-7.8.6 states that if the special use is granted, overnight accommodations shall not begin operation until a "Certificate of Occupancy" is obtained from the Zoning Administrator.

A motion to approve the Findings of Fact was made by Mr. Happ and seconded by Mr. Duncan. Five affirmative votes; (5-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Duncan. A vote was taken, and the motion was approved; (5-0)

Meeting adjourned at 11:00 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD )
COUNTY OF PEORIA, ILLINOIS )

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Approval of Special Use, Petition of Lisa Rogers.

RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for Overnight Accommodations, provided that they meet the requirements set forth in Section 7.8 (Overnight Accommodations) and provided that no more than 5 rooms or suites of rooms are rented, and rooms are not rented for a period of more than 14 days, in the R-2 Medium Density Residential District; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on October 13, 2022 in Case No. ZBA-2022-0042; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on October 13, 2022, and voted to recommend approval of the Special Use; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on October 24, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Rezoning in Case No. ZBA-2022-0042 is hereby approved with the following restriction:

1. The Special Use is null and void in the event that the subject parcels are no longer owned by Lisa Rogers.
2. No more than four (4) automobiles in total which are parked accessory to the single-family dwelling at the subject property may be parked outside at the subject property, or on an adjacent property under the same ownership, for a period of more than seventy-two (72) continuous hours, pursuant to Section 20-7.7.7.5 of the Unified Development Ordinance.
3. No more than eight (8) overnight guests may be present at the subject parcel at any one time.
4. The operator shall keep a log identifying the name, address, and telephone number of all guests. This log must be provided to the Zoning Administrator upon request.
5. The operator shall notify all adjacent property owners that Overnight Accommodations will be offered at the subject property by sending a letter through Certified Mail. This letter shall include the contact information of the operator. The operator must provide the Zoning Administrator with a copy of the letters sent and a verification receipt showing that each letter was delivered or that a delivery attempt was made.
6. Overnight accommodations may not be offered at the subject property until a Certificate of Occupancy has been issued by the Department of Planning and Zoning, per Section 20-7.8, “Overnight Accommodations,” of the Peoria County Unified Development Ordinance.
7. The Special Use Permit may be terminated by the Zoning Administrator upon violation of the above restrictions, per Section 20-3.5.9 of the Peoria County Unified Development Ordinance.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
### AGENDA BRIEFING

| COMMITTEE: | Land Use | LINE ITEM: | N/A |
| MEETING DATE: | October 24th, 2022 | AMOUNT: | N/A |

#### ISSUE: ZBA Case #ZBA-2022-044. A Special Use as required in Section 20-5.2.2.1.e of the Unified Development Ordinance. This section allows for a special use for a mobile home in the “A-2” Agriculture Zoning District, when all towing apparatus, wheels, tongue, and hitch are permanently removed, and the structure is attached to a permanent foundation and assessed as real property.

#### BACKGROUND/DISCUSSION: This case is in District #16, which is County Board member Matthew Windish’s district. The petitioner, Ryan McIntyre, requests a Special Use to install a mobile home on a 2.178-acre tract of land in the “A-2” Agricultural Zoning District. The subject parcel is located on N. McIntyre Rd. in the Northeast Quarter of Section 08 in Rosefield Township. There are 0 consents and 0 objection on file. The subject parcel and all surrounding parcels are zoned “A-2” Agricultural. To the north of the subject parcel is agriculture. To the west of the subject parcel is row crop production. To the south and east of the subject parcel is hay production and woodland, the petitioner also owns this land. There are six residences located in the half mile area surrounding the subject parcel. No farmland will be taken out of production. Section 20-7.9.1, Mobile Homes, of the Unified Development Ordinance (UDO) requires that all mobile home on individually owned parcels of land shall meet the following requirements: (1) The home shall sit on a permanent enclosed foundation that meets State tie-down requirements; (2) The home shall have all wheels, axles, transporting lights, and towing apparatuses removed, but in such a manner that they may be reattached at some later time; (3) The home shall conform to the minimum setback requirements, height limit, and other general development standards for the zoning district in which it is located; (4) The minimum floor area of the mobile home shall be six hundred (600) square feet; (5) Water and sewage systems shall be approved by the City/County Health Department or the Illinois Department of Public Health. According to the petitioner, the proposed mobile home will be firmly anchored to a concrete foundation and transportation accessories removed, but in such a manner that they may be reattached at some later time. According to the petition’s site plan the proposed mobile home will meet the setback regulations of the underlying zoning district, will be at least six hundred square feet, and new well and septic systems will be installed on the subject parcel to the Peoria City/County Health Department specifications. No conditions were found that would cause the Health Department to recommend denial of the request. The subject parcel has road frontage along N. McIntyre Rd., a township collector road. According to the petition the proposed mobile home will be accessed via an existing entrance on the subject parcel and will not add any additional access points to N. McIntyre Rd. The 2017 IDOT Traffic Map does not collect Annual Average Daily Traffic data along N. McIntyre Rd. The 8th Edition of the Trip Generation Report Published by the Institute of Transportation Engineers cites an average rate of 9.44 vehicle trips per dwelling unit on a weekday for the single-family detached housing land use. Considering trips per dwelling unit and the sparsely located residential development in the surrounding area, this special use approval will have minimal effects on N. McIntyre Rd. The County Highway Department will defer to the Rosefield Township Road Commissioner, as N. McIntyre Rd. is maintained by the township road district. At the time of this report, there is no comment from the Rosefield Township Road Commissioner. The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Agriculture. The Land Use Plans states that the Agriculture Land Use Form is characterized by agricultural uses, farmhouses, and homesteads associated with agricultural uses. The land use that are allowed in the Agriculture Land Use Form are Agriculture and Open Space. In the Agriculture Land Use, the Land Use Plan cites residential uses should reflect the agricultural nature of the area by being developed independently rather than in subdivisions, and primarily support agricultural operations. The request is consistent with the recommendations of the Peoria County Comprehensive Land Use Plan, as the proposed installation of a mobile home would create a homestead independently, not in a subdivision, and would allow the petitioner to more easily maintain the agricultural operation adjacent to the subject parcel.

#### COUNTY BOARD GOALS:

![Healthy Vibrant Communities]

#### STAFF RECOMMENDATION: Approval with the follow restrictions:

1. The home shall sit on a permanent enclosed foundation that meets State tie-down requirements.
2. The home shall have all wheels, axles, transporting lights, and towing apparatuses removed, but in such a manner that they may be reattached at some later time.
3. The home shall conform to the minimum setback requirements, height limit, and other general development standards for the zoning district in which it is located.
4. The minimum floor area of the mobile home shall be six hundred (600) square feet.
5. Water and sewage systems shall be approved by the City/County Health Department or the Illinois Department of Public Health.

#### ZBA RECOMMENDATION: Approval with restrictions (5-0)

#### COMMITTEE ACTION:

| PREPARED BY: | Jack Weindel, Planner I |
| DEPARTMENT: | Planning & Zoning |
| DATE: | October 13th, 2022 |
**Report to the Zoning Board of Appeals for the October 13, 2022 Public Hearing**

**Date:** September 26, 2022  
**Case/Petitioner:** ZBA-2022-0044 / Ryan McIntyre / 7626 N. McIntyre Rd., Brimfield, IL 61517  
**Request:** A Special Use as required in Section 20-5.2.2.1.e of the Unified Development Ordinance. This section allows for a special use for a mobile home in the “A-2” Agriculture Zoning District, when all towing apparatus, wheels, tongue, and hitch are permanently removed, and the structure is attached to a permanent foundation and assessed as real property.  
**Location:** NE 1/4 Section 08, Rosefeld Township / 7626 N. McIntyre Rd., Brimfield, IL 61517 / PIN 12-08-200-001  

| Land Use Form: | Agriculture  
| Current Zoning: | “A-2” Agricultural  
| Present Use: | Residential/Vacant  
| Size of Site: | 2.178  
| Surrounding Zoning: |  
| North: | “A-2” Agricultural  
| South: | “A-2” Agricultural  
| East: | “A-2” Agricultural  
| West: | “A-2” Agricultural  
| Surrounding Land Uses: |  
| North: | Agriculture  
| South: | Agriculture/Timber  
| East: | Agriculture/Timber  
| West: | Agriculture  

| Public Services: |  
| Fire: Brimfield FPD |  
| Schools: Elmwood USD #322 |  
| Water: Well |  
| Sewer: Septic |  
| Transportation: | N. McIntyre Rd., township collector road |  

**Pertinent Zoning Cases**  
**On Site:** None.  
**In Surrounding Area:** None.  

**Department of Planning and Zoning Recommendation:** **APPROVAL WITH RESTRICTIONS**
Case Analysis

Request and Location: The petitioner, Ryan McIntyre, requests a Special Use as required in Section 20-5.2.2.1.e of the Unified Development Ordinance. This section allows for a special use for a mobile home in the "A-2" Agriculture Zoning District, when all towing apparatus, wheels, tongue, and hitch are permanently removed, and the structure is attached to a permanent foundation and assessed as real property. The petitioner proposes to install a mobile home on a 2.178-acre tract of land. The petitioner owns the subject parcel and the land to the south and east, which is used for hay production and timber. The subject parcel previously had a single-family dwelling which was demolished in 2018. The subject property is located off N. McIntyre Rd. in the Northeast Quarter of Section 08 in Rosefield Township.

Pertinent Zoning Cases on Site: None.

Pertinent Zoning Cases in Surrounding Area: None.

Surrounding Zoning and Land Use: The subject parcel and all surrounding parcels are zoned “A-2” Agricultural. The subject parcel consists of two accessory structures related to agriculture, a 3,402 square foot pole barn and a 1,120 square foot corner. According to the petitioner, no farmland will be taken out of production. The proposed mobile home as well as the two-agriculture related buildings located on the subject parcel will be accessed from an existing drive off N. McIntyre Rd. To the north of the subject parcel is agriculture. To the west of the subject parcel is row crop production. To the south and east of the subject parcel is hay production and woodland, the petitioner also owns this land. There are six residences located in the half mile area surrounding the subject parcel.

Technical Adequacy: Section 20-7.9.1, Mobile Homes, of the Unified Development Ordinance (UDO) requires that all mobile home on individually owned parcels of land shall meet the following requirements: (1) The home shall sit on a permanent enclosed foundation that meets State tie-down requirements; (2) The home shall have all wheels, axles, transporting lights, and towing apparatuses removed, but in such a manner that they may be reattached at some later time; (3) The home shall conform to the minimum setback requirements, height limit, and other general development standards for the zoning district in which it is located; (4) The minimum floor area of the mobile home shall be six hundred (600) square feet; (5) Water and sewage systems shall be approved by the City/County Health Department or the Illinois Department of Public Health.

According to the petitioner, the proposed mobile home will be firmly anchored to a concrete foundation and transportation accessories removed, but in such a manner that they may be reattached at some later time. According to the petition’s site plan the proposed mobile home will meet the setback regulations of the underlying zoning district, will be at least six hundred square feet, and new well and septic systems will be installed on the subject parcel to the Peoria City/County Health Department specifications.

Environmental Impacts: The petitioner states that the mobile home will be served by new private well and new private septic. At the time of the Peoria City/County Health Department’s review, no conditions were found that would cause the Department to recommend denial of the request.

Transportation Impacts: The subject parcel has frontage along N. McIntyre Rd., a township collector road. The 2017 IDOT Traffic Map does not collect Annual Average Daily Traffic data along N. McIntyre Rd. According to the petition the proposed mobile home will be accessed via an existing entrance on the subject parcel and will not add any additional access points to N. McIntyre Rd. The 8th Edition of the Trip Generation Report Published by the Institute of Transportation Engineers cites an average rate of 9.44 vehicle trips per dwelling unit on a weekday for the single-family detached housing land use. Considering trips per dwelling unit and the sparsely located residential development in the surrounding area, this special use approval will have minimal effects on N. McIntyre Rd. The Peoria County Highway Department will defer to the Rosefield Township Road Commissioner, as N. McIntyre Rd. is maintained by the township road district. At the time of this report, there is no comment from the Rosefield Township Road Commissioner.

Land Use Form: The Future Land Use Form Map in the Peoria County Comprehensive Land Use Plan designates this area as Agriculture. The Land Use Plans states that the Agriculture Land Use Form is characterized by agricultural uses, farmhouses, and homesteads associated with agricultural uses. The land use that are allowed in the Agriculture Land Use Form are Agriculture and Open Space. In the Agriculture Land Use, the Land Use Plan cites residential uses should reflect the agricultural nature of the area by being developed independently rather than in subdivisions, and primarily support agricultural operations. The petitioner proposes to install a permanent mobile home on parcel which is adjacent to his
agricultural operation. No cropland will be taken out of production. The request is consistent with the recommendations of the Peoria County Comprehensive Land Use Plan, as the proposed installation of a mobile home would create a homestead independently, not in a subdivision, and would allow the petitioner to more easily maintain the agricultural operation adjacent to the subject parcel.
Conclusions

Consistency with Adopted County Plan. The request is consistent with the recommendations of the Peoria County Comprehensive Land Use Plan, as the proposed installation of a mobile home would create a homestead independently, not in a subdivision, and would allow the petitioner to more easily maintain the agricultural operation adjacent to the subject parcel. No cropland will be taken out of production.

Consistency with Community Character. The subject parcel and all surrounding parcels are zoned “A-2” Agricultural. The subject parcel consists of two accessory structures related to agriculture, a 3,402 square foot pole barn and a 1,120 square foot corncrib. To the north of the subject parcel is agriculture. To the west of the subject parcel is row crop production. To the south and east of the subject parcel is hay production and woodland, the petitioner also owns this land. The addition of a mobile on the subject would not alter the community character in the surrounding area.

Minimizing Adverse Effects. The installation of a mobile home on the subject parcel will not create any adverse effects for the surrounding area. A single-family dwelling was previously located on the parcel until it was demolished in 2018. The proposed mobile home will be accessed via an existing entrance on subject parcel and will not add any additional access points to N. McIntyre Rd. The proposed use will not create any excessive noise levels or negative visual effects.

Presence of Natural/Historical Resources. The request does not impact known natural or historical resources.

Compliance with Additional Standards. The proposed mobile home will comply with additional standards of Unified Development Ordinance highlighted in Section 20-7.9.1, Mobile Homes. The applicant will be responsible to attain all required permits from the Peoria City/County Health Department and Peoria County Planning & Department.
Staff Recommendation

Based on the above information, the Department recommends approval with restrictions:

1. The home shall sit on a permanent enclosed foundation that meets State tie-down requirements.
2. The home shall have all wheels, axles, transporting lights, and towing apparatuses removed, but in such a manner that they may be reattached at some later time.
3. The home shall conform to the minimum setback requirements, height limit, and other general development standards for the zoning district in which it is located.
4. The minimum floor area of the mobile home shall be six hundred (600) square feet.
5. Water and sewage systems shall be approved by the City/County Health Department or the Illinois Department of Public Health.

Respectfully submitted,

Jack Weindel
Planner I

Andrew Braun
Assistant Director
Legal Description

A part of the West Half of the Northeast Quarter of Section 8 in Rosefield Township, Township 9 North, Range 6 East of the Fourth Principal Meridian, Peoria County, Illinois, more particularly bounded and described as follows, to wit: Commencing at the Northwest corner of the Northeast Quarter of said Section 8; thence South 0 degrees 00 minutes along the West line of the Northeast Quarter of said Section 8 a distance of 806.20 feet to the Point of Beginning of the tract to be described; thence continuing South 0 degrees 00 minutes along the West line of the Northeast Quarter of said Section 8 a distance of 246 feet; thence South 87 degrees 27 minutes 00 seconds East a distance of 386 feet; thence North 0 degrees 00 minutes a distance of 246 feet; thence North 87 degrees 27 minutes 00 seconds West a distance of 386 feet to the Point of Beginning of said described tract. (Rosefield Township 12-08-200-001)
A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, October 13, 2022. The meeting was called to order by J. Greg Fletcher – Vice Chairperson at 9:00 a.m.

PRESENT: J. Greg Fletcher – Vice Chairperson, Chris Duncan, Randy Weber, Stephen Pollack, Greg Happ

ABSENT: Linda O’Brien – Chairperson, Robert Asbell, LaVonne Sammis, Justin Brown

STAFF: Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Jennie Cordis Boswell – Civil Assistant State’s Attorney
Sarah Cox – ZBA Administrative Assistant

Case No. ZBA-2022-044 at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of RYAN P. MCINTYRE, acting on his own behalf, a SPECIAL USE request from Section 20-5.2.2.1.e of the Unified Development Ordinance. This section allows for a special use for a mobile home in the “A-2” Agriculture Zoning District, when all towing apparatus, wheels, tongue and hitch are permanently removed and the structure is attached to a permanent foundation and assessed as real property.

FINDINGS OF FACT FOR SPECIAL USES
Section 20-3.5.4

When considering an application for a special use permit, the decision-making body shall consider the extent to which:

1. That the special use will be consistent with the purposes, goals, objectives, and standards of any officially adopted County plan and these regulations, or if not consistent, the factors which justify deviation;
   • The petitioner proposes to install a mobile home on a 2.178-acre tract of land. The petitioner owns the subject parcel and the land to the south and east which is used for hay production and timber. The subject parcel previously had a single-family dwelling which was demolished in 2018. Granting the special use would allow the property to again be assessed as real property.

2. That the special use will be consistent with the community character of the immediate vicinity of the parcel proposed for development, or if not consistent, the factors which justify the inconsistency:
   • The subject parcel and surrounding parcels are similarly zoned. The subject parcel and all parcels surrounding are zoned A-2 agriculture. The subject parcel consists of two accessory structures committed to agriculture: a 3,400 square foot pole barn and an
1,120 square foot corn crib. The special use request is consistent with the community character of this area.

3. That the design of the proposed use will minimize adverse effects, including visual impacts on adjacent properties, except for land splits in the A-2 District and individual mobile homes;
   • The petitioner has stated that the proposed mobile home will be firmly anchored to a concrete foundation and transportation accessories will be removed but, in such a manner that they may be reattached at some time later. According to the petitioner’s site plan, the proposed mobile home will meet the setback regulations of the underlying zoning district and will be at least 600 square feet. A new well and septic will be installed on the property according to the Peoria City/County Health Department specs. The design of the petitioner’s proposal will minimize adverse effects on adjacent properties.

4. That the development has been reviewed and approved by the Illinois Department of Natural Resources with regard to the presence of endangered species, and archaeological and/or historical resources, if applicable:
   • There are no known endangered species, and there has been no review by IDNR with regard to the presence of endangered species or archaeological or historical resources. This request does not impact any known natural or historical resources.

5. That the proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County:
   • The proposed use will comply with all additional standards imposed on it by the particular provision of these regulations authorizing such use and by all other applicable requirements of the ordinances of the County.

A motion to approve the Findings of Fact was made by Mr. Duncan and seconded by Mr. Happ. Five affirmative votes; (5-0) A motion to approve the special use with restrictions was made by Mr. Happ and seconded by Mr. Duncan. A vote was taken, and the motion was approved; (5-0)

Meeting adjourned at 11:00 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant
TO THE HONORABLE COUNTY BOARD
COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:
RE: Approval of Special Use with Restrictions, Petition of Ryan McIntyre.

RESOLUTION

WHEREAS, the County of Peoria has enacted a Unified Development Ordinance, Chapter 20 of the Peoria County Code; and

WHEREAS, said ordinance requires a Special Use for a mobile home in the "A-2" Agriculture Zoning District, when all towing apparatus, wheels, tongue, and hitch are permanently removed, and the structure is attached to a permanent foundation and assessed as real property; and

WHEREAS, a hearing on said Special Use was held before the Zoning Board of Appeals (ZBA) on October 13, 2022, in Case No. ZBA-2022-0044; a copy of the deliberation minutes of said hearing and a legal description of the subject property are attached; and

WHEREAS, the ZBA deliberated its decision on October 13, 2022, and voted to recommend approval of the Special Use with restrictions; a copy of the ZBA’s findings of fact is attached; and

WHEREAS, your Committee met on October 24, 2022 to consider the ZBA’s recommendation and voted to approve the Special Use with restrictions.

NOW THEREFORE BE IT ORDAINED, by the County Board of Peoria County, that the Special Use in Case No. ZBA-2022-0044 is hereby approved with the following restriction:

1. The home shall sit on a permanent enclosed foundation that meets State tie-down requirements.
2. The home shall have all wheels, axles, transporting lights, and towing apparatuses removed, but in such a manner that they may be reattached at some later time.
3. The home shall conform to the minimum setback requirements, height limit, and other general development standards for the zoning district in which it is located.
4. The minimum floor area of the mobile home shall be six hundred (600) square feet.
5. Water and sewage systems shall be approved by the City/County Health Department or the Illinois Department of Public Health.

NOTICE: Approval of this Special Use does not constitute approval of wells nor septic systems for the property required by the Peoria City/County Health Department.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
AGENDA BRIEFING

COMMITTEE: Land Use            LINE ITEM: N/A
MEETING DATE: October 24, 2022  AMOUNT: N/A

ISSUE: Real Property Transfer to Chillicothe Township

BACKGROUND/DISCUSSION:
Through the use of federal and state Hazard Mitigation Grant Program funding, Peoria County has acquired a series of flood-prone properties in unincorporated Peoria County along the Illinois River. These properties have had any and all structures demolished and currently sit as vacant, tax-exempt properties. Under the terms of the grant agreement, Peoria County, as owner, is responsible for annual maintenance and upkeep.

Chillicothe Township has approached the Department of Planning & Zoning regarding the transfer of ownership for a property commonly referred to as 17620 N. River Lane, Chillicothe, IL (PIN 05-29-478-001). It is the intent of Chillicothe Township to assume ownership of this parcel to form a contiguous boundary with an existing Township right-of-way.

Pursuant to 44 CFR Part 80.19(b), Peoria County was required to obtain the approval of the Illinois Emergency Management Agency and the Federal Emergency Management Agency. This approval was granted on May 11, 2022.

Subject to the terms of the original property transfer to Peoria County, the property transferred to the Chillicothe Township shall be subject to reservations and covenants which shall run with the land, as outlined within the Quit Claim Deed.

COUNTY BOARD GOALS:

SAFE AND HEALTHY COMMUNITY

STAFF RECOMMENDATION: Approval

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: October 6, 2022
QUITCLAIM DEED

For Recorder Use Only

THIS INDENTURE, made between the County of Peoria, a Body Politic of the State of Illinois, hereinafter referred to as GRANTOR, and Chillicothe Township, hereinafter referred to as the GRANTEE, in consideration of the sum of One Dollar ($1.00), the receipt of which is hereby acknowledged, GRANTOR does hereby remise, release, quitclaim and convey unto said GRANTEE all interest in the following described real estate:

PARCEL 1
Lot 11 in SHORE ACRES SUBDIVISION SECTION 1, a part of the Southeast Quarter of Section 29, Township 11 North, Range 9 East of the Fourth Principal Meridian, situated in Peoria County, Illinois.

PIN Number 05-29-478-001

For informational purposes only, the land is described as: 17620 N. River Lane, Chillicothe, IL 61523

SUBJECT TO: All restrictions, reservations, conditions, covenants, dedications, easements, rights-of-way of record, zoning and use ordinances, and general real estate taxes for the year 2022 and thereafter.

AND FURTHER SUBJECT TO the reservations and covenants contained in the Warranty Deed to GRANTOR, recorded in the office of the Peoria County Recorder of Deeds on June 11, 2018 as Doc. No. 2018009806 and re-recorded on May 12, 2021 as Doc. No. 2021010209, which shall run with the land, including but not limited to the following restrictions:

1. The Grantee agrees that the land shall be used only for purposes compatible with open space, recreational, or wetlands management practices;
2. The Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or a public facility that is open on all sides and functionally related to the open space use;
3. The Grantee acknowledges that no future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided; and
4. The Grantee agrees that it shall convey the property, or any interest therein, only to another public entity and only with the prior approval from IEMA and the Regional Director of FEMA. Such conveyance shall be made expressly subject to the above referenced conditions and restrictions which shall run with the land in perpetuity.
Dated this___________ day of ___________________ , A.D. 2022.

CONVEYED BY:                  ACCEPTED BY:
COUNTY OF PEORIA             CHILlicoTHE TOWNSHIP
By: ______________________    By: ______________________
   ANDREW RAND, Chairman      PHILLIP M. “MIKE” RATCLIFF, CHAIRMAN
   PEORIA COUNTY BOARD        CHILlicoTHE TOWNSHIP

ATTEST: ______________________
          RACHAEL PARKER
          PEORIA COUNTY CLERK

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STATE OF ILLINOIS
County of Peoria

I, ____________________________, a Notary Public, in and for said County and State
DO HEREBY CERTIFY that Andrew Rand, and Rachael Parker; personally known to me to be the
same people whose names are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that they signed, sealed and delivered the said
instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this ______ day of ______________
A.D. 2022

____________________________________
Notary Public.

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STATE OF ILLINOIS
County of Peoria

I, ____________________________, a Notary Public, in and for said County and State
DO HEREBY CERTIFY that Phillip M. “Mike” Ratcliff; personally known to me to be the same
person whose name is subscribed to the foregoing instrument, appeared before me this day
in person and acknowledged that he signed, sealed and delivered the said instrument as his
free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of ______________
A.D. 2022

____________________________________
Notary Public.

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RETURN DEED AND MAIL TAX STATEMENT TO:

Name: Chillicothe Township

Address: PO Box 153
City: Chillicothe  State: IL  Zip: 61523

This document drafted by the County of Peoria - 324 Main Street, Peoria, Illinois 61602.

EXEMPT 35 ILCS 200/31-45(e)

__________________________
DATE

__________________________
BUYER, SELLER OR REPRESENTATIVE
TO THE HONORABLE COUNTY BOARD

COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE: Real Property Transfer to Chillicothe Township

RESOLUTION

WHEREAS, the County of Peoria has utilized state and federal funding programs for land acquisition within the floodplain; and

WHEREAS, the subject properties are also located within the jurisdiction of Chillicothe Township; and

WHEREAS, Chillicothe Township has approached the County of Peoria for transfer of 17520 N. River Ln., Chillicothe, IL (PIN: 05-29-478-001) one of those properties acquired within the floodplain and the jurisdiction of Chillicothe Township; and

WHEREAS, pursuant to the requirements of 44 CFR Part 80.19(b), the County of Peoria has obtained the required permissions from the Federal Emergency Management Agency to authorize said transfer.

NOW THEREFORE BE IT RESOLVED, by the Peoria County Board, that the transfer of 17520 N. River Ln., Chillicothe, IL (PIN: 05-29-478-001) from the County of Peoria to Chillicothe Township is hereby approved, subject to the following reservations and covenants which shall run with the land:

1. The Grantee agrees that the land shall be used only for purposes compatible with open space, recreational, or wetlands management practices;
2. The Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or a public facility that is open on all sides and functionally related to the open space use;
3. The Grantee acknowledges that no future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided; and
4. The Grantee agrees that it shall convey the property, or any interest therein, only to another public entity and only with the prior approval from IEMA and the Regional Director of FEMA. Such conveyance shall be made expressly subject to the above referenced conditions and restrictions which shall run with the land in perpetuity.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
ISSUE: Real Property Transfer to Chillicothe Park District

BACKGROUND/DISCUSSION:
Through the use of federal and state Hazard Mitigation Grant Program funding, Peoria County has acquired a series of flood-prone properties in unincorporated Peoria County along the Illinois River. These properties have had any and all structures demolished and currently sit as vacant, tax-exempt properties. Under the terms of the grant agreement, Peoria County, as owner, is responsible for annual maintenance and upkeep.

Chillicothe Park District has approached the Department of Planning & Zoning regarding the transfer of ownership for a property commonly referred to as 14449 N. River Beach Dr, Chillicothe, IL (PIN: 10-07-181-005). It is the intent of Chillicothe Park District to assume ownership of this parcel to form a contiguous boundary with an existing Park District property (Walnut Dog Park).

Pursuant to 44 CFR Part 80.19(b), Peoria County was required to obtain the approval of the Illinois Emergency Management Agency and the Federal Emergency Management Agency. This approval was granted on May 11, 2022.

Subject to the terms of the original property transfer to Peoria County, the property transferred to the Chillicothe Park District shall be subject to reservations and covenants which shall run with the land, as outlined within the Quit Claim Deed.

COUNTY BOARD GOALS:

SAFE AND HEALTHY COMMUNITY

STAFF RECOMMENDATION: Approval

COMMITTEE ACTION:

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: October 6, 2022
THIS INDENTURE, made between the County of Peoria, a Body Politic of the State of Illinois, hereinafter referred to as GRANTOR, and the Chillicothe Park District, 100 Park Blvd., hereinafter referred to as the GRANTEE, in consideration of the sum of One Dollar ($1.00), the receipt of which is hereby acknowledged, GRANTOR does hereby remise, release, quitclaim and convey unto said GRANTEE all interest in the following described real estate:

PARCEL 1
Lot 7 and 8 in Block 10 in EDGEWATER TERRACE, being a part of Lot 1 of UNDERHILL’S SUBDIVISION of ROME FARMS and the Southwest fractional quarter of Section 7, Township 10 North, Range 9 East of the Fourth Principal Meridian, as filed in Book “T” of Plats, Page 28, Peoria County Records; situate, lying and being in the County of Peoria and State of Illinois.

PIN Number 10-07-181-005

For informational purposes only, the land is described as: 14449 N. River Beach Drive, Chillicothe, IL 61523

SUBJECT TO: All restrictions, reservations, conditions, covenants, dedications, easements, rights-of-way of record, zoning and use ordinances, and general real estate taxes for the year 2022 and thereafter.

AND FURTHER SUBJECT TO the reservations and covenants contained in the Warranty Deed to GRANTOR, recorded in the office of the Peoria County Recorder of Deeds on February 28, 2019 as Doc. No. 2018003402 and re-recording on May 12, 2021 as Doc No. 2021010205, which shall run with the land, including but not limited to the following restrictions:

1. The Grantee agrees that the land shall be used only for purposes compatible with open space, recreational, or wetlands management practices;
2. The Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or a public facility that is open on all sides and functionally related to the open space use;
3. The Grantee acknowledges that no future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided; and
4. The Grantee agrees that it shall convey the property, or any interest therein, only to another public entity and only with the prior approval from IEMA and the Regional Director of FEMA. Such conveyance shall be made expressly subject to the above referenced conditions and restrictions which shall run with the land in perpetuity.
Dated this ___________ day of ____________________, A.D. 2022.

CONVEYED BY:                             ACCEPTED BY:
COUNTY OF PEORIA                             CHILlicoTHE PARK DISTRICT
By: ________________________________    By: ________________________________
ANDREW RAND, Chairman                        KEVIN YATES, PRESIDENT
PEORIA COUNTY BOARD                          CHILlicoTHE PARK DISTRICT

ATTEST: ________________________________
RACHAEL PARKER
PEORIA COUNTY CLERK

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STATE OF ILLINOIS
County of Peoria
I, ________________________________, a Notary Public, in and for said County and State
DO HEREBY CERTIFY that Andrew Rand, and Rachael Parker; personally known to me to be the
same people whose names are subscribed to the foregoing instrument, appeared before me
this day in person and acknowledged that they signed, sealed and delivered the said
instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this ______ day of ____________
A.D. 2022

_______________________________
Notary Public.

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STATE OF ILLINOIS
County of Peoria
I, ________________________________, a Notary Public, in and for said County and State
DO HEREBY CERTIFY that Kevin Yates; personally known to me to be the same person whose
name is subscribed to the foregoing instrument, appeared before me this day in person and
acknowledged that he signed, sealed and delivered the said instrument as his free and
voluntary act, for the uses and purposes therein set forth.

Given under my hand and notarial seal this _____ day of ____________
A.D. 2022

_______________________________
Notary Public.

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RETURN DEED AND MAIL TAX STATEMENT TO:
Name: Chillicothe Park District
Address: 100 Park Boulevard
City: Chillicothe State: IL Zip: 61523

This document drafted by the County of Peoria - 324 Main Street, Peoria, Illinois 61602.

EXEMPT 35 ILCS 200/31-45(e)

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DATE

BUYER, SELLER OR REPRESENTATIVE
TO THE HONORABLE COUNTY BOARD
COUNTY OF PEORIA, ILLINOIS

Your Land Use Committee does hereby recommend passage of the following Resolution:

RE:  Real Property Transfer to Chillicothe Park District

RESOLUTION

WHEREAS, the County of Peoria has utilized state and federal funding programs for land acquisition within the floodplain; and

WHEREAS, the subject properties are also located within the jurisdiction of the Chillicothe Park District; and

WHEREAS, the Chillicothe Park District has approached the County of Peoria for transfer of 14449 N. River Beach Dr, Chillicothe, IL (PIN: 10-07-181-005) one of those properties acquired within the floodplain and the jurisdiction of the Chillicothe Park District; and

WHEREAS, pursuant to the requirements of 44 CFR Part 80.19(b), the County of Peoria has obtained the required permissions from the Federal Emergency Management Agency to authorize said transfer.

NOW THEREFORE BE IT RESOLVED, by the Peoria County Board, that the transfer of 14449 N. River Beach Dr. Chillicothe, IL (PIN: 10-07-181-005) from the County of Peoria to the Chillicothe Park District is hereby approved, subject to the following reservations and covenants which shall run with the land:

1. The Grantee agrees that the land shall be used only for purposes compatible with open space, recreational, or wetlands management practices;
2. The Grantee agrees that no new structures or improvements shall be erected on the premises other than a restroom or a public facility that is open on all sides and functionally related to the open space use;
3. The Grantee acknowledges that no future disaster assistance from any Federal source for any purpose related to the property may be sought, nor will such assistance be provided; and
4. The Grantee agrees that it shall convey the property, or any interest therein, only to another public entity and only with the prior approval from IEMA and the Regional Director of FEMA. Such conveyance shall be made expressly subject to the above referenced conditions and restrictions which shall run with the land in perpetuity.

RESPECTFULLY SUBMITTED,
LAND USE COMMITTEE
AGENDA BRIEFING

COMMITTEE: Land Use
MEETING DATE: October 24, 2022
LINE ITEM: N/A
AMOUNT: N/A

ISSUE: 2023 Tri-County Hazard Mitigation Plan Introduction

BACKGROUND/DISCUSSION:
The Disaster Mitigation Act of 2000 requires that local governments develop and adopt natural hazard mitigations plans in order to receive certain federal assistance for disaster relief funds to mitigate the effects of natural hazards. The proposed 2023 Hazard Mitigation Plan (HMP) will serve as an update to the most recent Plan, adopted October 11, 2018. FEMA requires these plans to be updated every 5 years to maintain eligibility.

Through the coordination efforts of the Tri-County Regional Planning Commission, at least 23 local jurisdictions throughout the Tri-County region will participate in the plan update. As Project Coordinator, Reema Abi-Akar of the TCRPC, will discuss with the Land Use Committee the need and benefits of the Hazard Mitigation Plan for the region, as well as specific purposes for Peoria County. Reema will also discuss the funding source for the Plan, the selection process and history with the consultants chosen for the Plan, and the process and timeline the TCRPC will take for Plan development and adoption.

COUNTY BOARD GOALS:

SAFE AND HEALTHY COMMUNITY

STAFF RECOMMENDATION: Discussion

COMMITTEE ACTION: Discussion

PREPARED BY: Andrew Braun, Assistant Director
DEPARTMENT: Planning & Zoning
DATE: October 7, 2022