

**MINUTES
LAND USE COMMITTEE
JANUARY 3, 2023 @ 4:00 P.M.
ROOM 403**

MEMBERS PRESENT: Paul Rosenbohm - Chairperson; Linda Daley – Vice Chairperson; Eden Blair, James Dillon, Daniel Kelch, Terry Ruhland, Sharon Williams, Matt Windish

MEMBERS ABSENT:

OTHERS PRESENT: Jennie Cordis Boswell - State's Attorney's Office; Scott Sorrel, Shauna Musselman, Gretchen Pearsall, Sydney Silverthorn - County Administration; Kathi Urban, Andrew Braun - Planning & Zoning

Call to Order:

Mr. Rosenbohm called the meeting to order at 4:02p.m.

Approval of Minutes:

A motion to approve the Land Use Committee minutes from November 28, 2022 was made by Ms. Daley and seconded by Ms. Williams. A vote was taken on the motion and carried. (8-0)

Reports/ Other Minutes/Updates:

Tri-County Regional Planning Commission Minutes: No questions or comments.

Unsafe Structures: Ms. Urban provided a brief report summary.

Development Summary: Ms. Urban provided a brief report summary.

Mr. Rosenbohm motioned to receive and file the reports.

Zoning Cases:

ZBA-2022-0051, Petition of David & Hannah Dutton

Dr. Blair made a motion to approve the special use request and was seconded by Ms. Daley.

Ms. Urban summarized the case. A Special Use request from Section 20-5.2.2.1.a.1 of the Unified Development Ordinance which allows for a special use when a proposed land split does not meet the 25-acre lot size in the “A-2” Agricultural District. The petitioners are proposing to split 13.54 acres from a 34.07 acre parcel, and intend to keep the land in use as a farm or conservation reserve land until such time as a house is built. There are 0 consents and 0 objections on file.

The subject parcel is located at North Hampton Road and North Blue Ridge Road in Hallock Township. The parcel currently consists of field and row crop production as well as timberland. Adjacent parcels to the north are zoned “R-R” Rural Residential and “R-2” Medium Density Residential to the east. All other surrounding parcels are zoned “A-2” Agriculture. Surrounding land uses include single family dwellings, agricultural buildings, Hallock Township Road District building, pasture, and timber.

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The request is consistent with a single-family residential uses in the surrounding area. The petitioner states that the proposed 13.54 acre tract would utilize a private well and private septic system.

The request is consistent with the Comprehensive Land Use Plan and the Peoria County Housing Growth Strategy. Staff recommended approval with one (1) restriction and the Zoning Board of Appeals concurred, with the same restriction, unanimously.

A vote was taken on the motion and carried (8-0).

ZBA-2022-048, Petition of Justin Malec

Dr. Blair made a motion to approve the special use request and was seconded by Ms. Daley.

Ms. Urban summarized the case. A Rezoning request from “A-2” Agricultural Use to “R-R” Rural Residential. The petitioner proposes to rezone 6.189 acres in order to combine it with the property to the east. The subject property is located off West Tuscarora Road in Hallock Township. There is 1 consent and 1 objection on file. The objector was concerned about the condition of the property to the east. The subject tract will be combined with a five (5) acre parcel to the east consisting of one dwelling and will not be used as a separate building parcel. Zoning to the north of the subject tract is “R-1” Low Density Residential, “R-R” Rural Residential to the south and east, and “A-2” Agricultural to the west. Land use to the north and east of the subject tract are single-family dwellings, to the west is a residence, timber, and agricultural land, to the south is agriculture. The request is consistent with the surrounding area.

The request is consistent with Peoria County Comprehensive Land Use Plan and compatible with Environmental Corridor land use. Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (8-0).

ZBA-2022-052, Petition of Michael J. Honegger (Special Use)

Ms. Williams made a motion to approve the special use request and was seconded by Ms. Daley.

Ms. Urban summarized the case. A Special Use request from Section 20-5.3.2.4.g of the Unified Development Ordinance. This section allows for a special use for a Place of Worship in the “R-R” Rural Residential Zoning District. The petitioner proposes to rezone a parcel containing an existing Church to “R-R” Residential. There is 1 consent and 0 objections on file.

The subject parcel is located on Route 150 in Kickapoo Township. The petitioner states that the subject parcel is served by a private well and septic system. A shared well that serves Christ Alive Fellowship and a rental home on the property produces 17 gallons per minute, which exceeds the ordinance requirement of 3 gallons per minute. The church and the dwelling unit will enter into a shared well agreement during the subdivision process.

The Comprehensive Land Use Plan designates this area as Agriculture. The Agricultural Land Use Form does encourage other types of development such as Places of Worship in areas that are low producing agricultural land.

Staff recommended approval with (1) restriction and the Zoning Board of Appeals concurred, with the same restriction, unanimously.

A vote was taken on the motion and carried (7-0), with Mr. Kelch abstaining.

ZBA-2022-0547, Petition of Michael J. Honegger (Rezoning)

Mr. Windish made a motion to approve the special use request and was seconded by Ms. Daley.

Ms. Urban summarized the case. A Rezoning request from “A-2” Agricultural Use to “R-R” Rural Residential. The petitioner proposes to rezone parcels of 5.17 acres and 6.109 acres in order to reconfigure the boundaries of 2 existing parcels into 3 proposed tracts: a 2.17 acre tract with an existing church, a one acre tract with an existing single-family dwelling (previously a parsonage), and an 8.109 acre tract with an existing single family dwelling. There is 1 consent and 0 objections on file. The subject parcel contains a 12,000 square foot church and a 2,000 square foot dwelling unit used as a parsonage.

Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (7-0), with Mr. Kelch abstaining.

Subdivision Waiver:

WAV-2022-0004, Petition of Michael J. Honegger

Dr. Blair made a motion to approve the special use request and was seconded by Ms. Williams.

Ms. Urban summarized the case. A waiver from Section 20-8.3.4.1.b.2.a of the Unified Development Ordinance. This section requires a new minor subdivision to have public water supply. This waiver request has been filed concurrently with Rezoning request #ZBA-2022-047 and Special Use Request #ZBA-2022-0052.

Staff recommended approval and the Zoning Board of Appeals concurred unanimously.

A vote was taken on the motion and carried (7-0), with Mr. Kelch abstaining.

Resolutions:

Appropriation of FY2022 Grant Funding

Mr. Kelch made a motion to approve the special use request and was seconded by Dr. Blair.

Mr. Braun advised that the appropriation of \$40,000.00 in revenues and expenditures are related to the Strong Communities Program (SCP). He stated that the SCP project was originally projected and budgeted to be 50% complete in 2021 with the remaining 50% completed in 2022; however, the project was not begun until 2022 and all work has been completed. He advised that as a result, it is necessary to appropriate the revenues and expenditures budgeted for 2021 to FY2022.

A vote was taken on the motion and carried (8-0).

Appropriation of FY2023 Grant Funding

Ms. Daley made a motion to approve the special use request and was seconded by Ms. Williams.

Mr. Braun advised that the county received a grant award in 2013 from FEMA and the Illinois Emergency Management Agency for the demolition of flood impacted structures. He remarked that although the project was completed several years ago, the county has not yet received all the funding from the state. He stated that as a result, appropriations into the current year revenue and expenditures are necessary.

A vote was taken on the motion and carried (8-0).

Committee Action:

Review of Executive Session Minutes

A motion to accept the recommendation of the State's Attorney's Office was made by Dr. Blair and seconded by Mr. Dillon.

Ms. Cordis Boswell advised that it is the State's Attorney's Office recommendation that all previously held executive session minutes continue to be held closed as the need for confidentiality still exists, and to destroy executive session audio recordings more than two years old, except those that relate to pending litigation.

A vote was taken on the motion and carried (8-0).

Miscellaneous:

Ms. Williams commented that the Comprehensive Land Use Plan was last updated in 2009, and asked if there is a need to update the Plan. Mr. Sorrel advised that the County Board will undertake a strategic planning process within the next several months, and will follow through if an update becomes a priority through that process.

Adjournment: Mr. Rosenbohm adjourned the meeting at 4:35 p.m.