

MINUTES
CONSERVATION, PLANNING, AND ZONING COMMITTEE
WOODFORD COUNTY, ILLINOIS
MONDAY, May 13, 2019
6:00 P.M.

1. Call to Order:

Chairman Parsons called the meeting to 6:00 pm.

2. Roll Call: Blake Parsons, Jason Spence, Justin Faulk and Charles Nagel were present. Andy Rokey was excused.

3. Approval of Monthly claims: Motion was made by Nagel to approve the claims, seconded by Spence. *Motion Carried.*

4. Approval of April 8, 2019 Minutes:

Motion was made by Spence to approve the minutes, seconded by Nagel. *Motion Carried.*

5. Public Input: None

6. Unfinished Business:

- Minonk Wind LLC Special Use - MOU update

Mr. Spence noted that he had sent the draft to the company for review today and should have an update next month.

- Minonk Wind LLC Special Use - Decommissioning Report

Mr. Parsons asked if anything needed to be done since a report was not done in 2016, Mr. Spence noted that just approving the new report was sufficient. Mr. Parsons discussed that amounts laid out for the decommissioning and noted that they will have to remove the concrete to a depth of 4 ft. Mr. Parsons also noted that his concern was the cost of labor, he expressed concern that the report amount may not cover labor sufficiently. Mr. Spence discussed that the report covers what is required in the Special Use and he is happy with the contents of the report. Mr. Parsons asked if the report needs to go to the full board. Mr. Spence and Ms. Jording agreed that it should go to the County Board for acceptance.

Motion to approve and send to County Board made by Spence, seconded by Nagel. *Motion Carried.*

- Review/recommend changes to Woodford County Zoning Ordinance Section 22 – Signs

Mr. Parsons discussed that this had been on the agenda for some time. Mr. Nagel noted that he would like to get this addressed and off the agenda. Ms. Jording noted that Mr. Minger was going to check on some of the legalities of the sign regulation. She noted that she could check with other Counties on how they address the temporary signs issue.

- Permit Fees discussion

Mr. Parsons discussed that he would still like to address changes to fees but doesn't have an idea of what needs changed yet. Mr. Parsons discussed that his big concern is that several years ago we reduced the ZBA fees for Special Use from \$500 to \$50, he feels this should be adjusted to at least cover costs of the hearing. He noted that to bring in the five members just the per diem is \$300.00. Mr. Nagel noted that he would like to get to the point where we are not subsidizing the expense of bringing in the ZBA. Mr. Parsons asked how many petitions were on the May hearing and how many were Special Use. Ms. Jording noted that there were five petitions, two were Special Use and \$250.00 in fees has been paid for those five petitions. Mr. Parsons discussed that he feels \$200 might be a better amount for a Special Use application. Ms. Jording noted that they need to decide at which point they wanted to break even, at one petition, two petitions. Mr. Spence asked Ms. Jording to review the last three years of ZBA applications and determine how many applications were received each month and how much they paid. Mr. Spence noted that they could determine what fees should be based on that information. Mr. Nagel noted he just wanted to cover costs. Mr. Parsons asked what the committee would be comfortable with pricing the variance. The committee discussed that they would be comfortable with a \$200 Special Use and a \$60 variance. Ms. Jording discussed that they need to look at Map Amendments, their fee is based on the acreage of the lot being re-zoned. She also noted that they should consider that Special Use currently are based on the lot size as well. The committee needs to determine if they would like to have a flat fee or a lot size based fee. She explained the previous and current fee structure. She noted the vast majority of the Special Use currently pay the minimum. The committee discussed that they may add that, this will go on the next petition to the ZBA once several other text amendment issues are ready to go to ZBA as well.

7. New Business:

- Solar qualified installer verbiage

Ms. Jording noted that she was approached about having qualified installer verbiage. The committee discussed that they felt the current section is sufficient and they do not feel this change is necessary.

- Special Use application requirements verbiage

Ms. Jording noted this was a change that was proposed and the ZBA wanted it broken down to have a “shall” require and a “may” require section on the application requirements. She noted this would be added to a future text amendment application.

- High Impact Business verbiage

Mr. Parsons noted this issue went to ZBA and they were not in favor of taking this item out of the ordinance. Ms. Jording noted that she has been working with Assistant States Attorney (ASA) Gibson on determining what can be done with this section, they have spoken with the state and ASA Gibson is going to be working with an attorney at the state to determine what is legal.

- Chickens in Residential verbiage

The Committee discussed the issue of having chickens in Residential zoned areas. The current restriction is no agriculture on residential lots less than 10 acres. The committee discussed that many of the large 5-9 acres lots zoned residential do not realize this is a restriction. Mr. Spence made a motion to lower the acreage to 4, no second. Mr. Nagel discussed that he would like to review this more. Ms. Jording provided sample verbiage from other counties. Mr. Faulk asked if horses are allowed on those lots, Ms. Jording explained that they are not. Mr. Nagel discussed that they have a route to be allowed through Special Use. Mr. Jording noted that with the possibility of increasing the Special Use cost to \$200 that is a high cost to be allowed a few chickens. This issue was part of the reasoning the Special Use fees were reduced to \$50, because if someone had a child in 4H that wanted to raise a goat or chicken they required a Special Use which, at the time was \$500. Mr. Faulk asked if a farmhouse is on two acres in eastern Woodford would they be allowed chickens, Ms. Jording noted that is likely zoned Agriculture and therefore allowed. Mr. Parsons discussed that he knows people who have chickens that are zoned residential and they likely have no idea they are not allowed. Mr. Parson and Mr. Faulk discussed two acres as the limit. Mr. Logan suggested a tiered approach of: up to 5 acres – 5 chickens, no roosters. 5-10 acres – 10 chickens, no roosters. This would create limitations while still allowing the activity. Mr. Parson discussed that he would be fine with 2 acres but may put a restriction, he would like to discuss further next month.

8. Planning and Zoning Issues:

- Carr Subdivision No. 3 – Palestine Twsp

Motion to approve and send to County Board made by Nagel, seconded by Faulk. *Motion Carried.*

- Wiesehan Place Subdivision – Spring Bay Township

Motion to approve and send to County Board made by Nagel, seconded by Faulk. *Motion Carried.*

- Changes to text amendment request Section 24, 28 and 30
- Grohsmeyer subdivision issue – Partridge Township

Ms. Jording discussed the issue on Mr. Grohsmeyer’s property. He would like to divide two acres of the parcel off for his son but there is no frontage due to the fact that the lot abuts a road corner with a lot corner. She noted that while Mr. Grohsmeyer’s lot is legal due to when it was created, he cannot divide off a legal lot without a variance from C.P. & Z. and they cannot build on the that lot with a variance from ZBA. She noted that the Land Subdivision Ordinance does allow variances when a hardship exists. Mr. Spence noted that there is established factors to determine if it is a hardship, it is in case law. Mr. Logan noted that he also owns the adjoining lot next to the existing parcel, he asked if they could use a portion of that lot to access the new parcel. Ms. Jording and the committee discussed several options regarding access and Ms. Jording and Mr. Spence determined that a 60 ft triangle could be use from the smaller tract to create the legal access for the new parcel. The landowner would create a shared private lane that the new parcel would abut to with a 20 ft abutment. Ms. Jording noted that the smaller lot would not be eligible for a variance if it is reduced in size but the new lot would require no other variance to build.

9. Other:

- ZBA Hearing - ZBA hearing May 28 – 5 petitions 2 Special Use, 2 Variance, 1 Map Amendment

Mr. Parsons discussed that they generally like to have one representative attend the meeting. If anyone wants to attend on their own they do not get a per diem, but if they are the C. P. & Z. representative they can claim per diem. Ms. Jording noted that the two Special Use are Heliports. Mr. Logan discussed that he was at an aviation conference recently and it was discussed that Woodford County has seen several Heliport applications to try and back up windfarms. He noted that he and Jerry Lay developed the Tall Structures Ordinance to try and protect aviation related properties. He noted those in aviation like himself and people from IDOT are not very happy when they see the regulations designed to protect aviation used as a weapon against their neighbors. Mr. Spence asked if he thought

IDOT would take over heliports. Mr. Logan didn't think they would. The committee discussed that they should look at possibly changing the standoff for heliports to avoid the unintended consequences that have occurred to protect both parties economic interest. Mr. Parsons discussed that the aerial application helicopters land on a mobile truck landing pad. The Committee discussed outlining a standard for determining if a heliport is legitimate. Mr. Spence discussed that an option would be to reduce the standoffs. Mr. Parsons asked that the Tall Structures Ordinance be added to the agenda next month. Mr. Nagel asked what would happen to existing heliport if the standoff is reduced. Mr. Jording noted she would have to check with the ASA on.

- Schedule special meetings (if necessary)

10. Executive Session (if necessary): None

12. Adjournment:

Mr. Faulk made the motion to adjourn at 7:21 p. m., seconded by Hagel. *Motion Carried.*

Lisa Jording, Secretary

Blake Parsons, Chairman

Date