

Planning/Development Committee Minutes June 4, 2008

The meeting was called to order at 5:30 p.m. by Chairperson Ann DeSmith in Room 103J in the Henry County Courthouse with members Karol Vail and Rick Livesay present; Jim King and Dennis Anderson absent. Zoning/Building Department Manager Bill Philhower was also present.

The meeting agenda and May 7, 2008 meeting minutes were approved.

County Board zoning agenda.

1. 08-08 MA by J. Marando. Affirmative Planning Committee and Zoning Board of Appeals recommendations. No opposition.
- ~~2. 08-09 SU by C. Stropes. Tabled.~~
3. 08-10 MA by G. McKnight. Application was for construction of 2 non-farm dwellings, replacement of existing dwelling with new non-farm dwelling. The proposed construction of 2 farm dwellings does not need zoning review/approval due to agricultural exemption. Zoning Board of Appeals recommended approval of application with minor changes to private driveway width and location. Planning Committee recommended application be modified to replacement of existing dwelling with new non-farm dwelling and construction of 3 farm dwellings exempt from zoning review/approval. City of Colona filed a written protest stating subject property area has been identified for industrial development in Colona Comprehensive Plan effective 1999. Application will require 18 affirmative votes for approval.

yes
no
1
1
22 - 1
22 - 2
1 absent

Subject property was part of a 164 acre tract zoned AG-1 Agriculture sold at auction and divided into 8 parts being 11 acres, 11 acres, 14 acres, 14 acres, 15 acres, 30 acres, 28.84 acres and 39 acres in size. All tracts are more than 10 acres in size and will qualify for agricultural exemption provided each tract is partially used for ag purposes. The 28.84 acre tract was sold to the Sportsmen Club to provide additional buffer area from the shotgun range. Applicant purchased the 39 acre tract and has the right to sell the existing house with a lot 1 acre or more in size and the balance of the tract in 10 acre or larger tracts for construction of farm dwellings providing some of the land on each tract is used for ag purposes.

The applicant has an individual interested in purchasing the existing house who may want to demolish the house and replace it with a new single family dwelling. Replacing the existing house with a new dwelling will require an AG-1 to R-1 zoning map amendment and a building permit application with substantial fee. A replacement house should have a higher assessed valuation than the existing house and thus pay more real estate taxes plus provide construction jobs, sales of building materials with sales taxes, etc. Henry County has zoned tracts from AG-1 to R-1 for replacement of existing farm dwellings many times.

The applicant would like to divide the property into 3 five acre plus tracts and 2 ten acre plus tracts. The existing house would be on 1 of the five acre plus tracts. The other 2 five acre plus tracts will require AG-1 to R-1 zoning map amendments, building permit applications with substantial fees and will pay much higher real estate taxes than marginal farmland. Farm dwellings constructed on the 10 acre plus lots will be exempt from obtaining a building permit application and paying a substantial fee but will pay much higher real estate taxes than marginal farmland. Children living in these new homes will attend Colona Grade School.

Department understanding is that some or all of the buyers of the other 6 lots (11,11,14,14,15 and 30 acre tracts) also intend to construct farm dwellings. Potential for future use of the original 164 acre tract for industrial purposes seems to have been diminished now that the land has been divided into smaller tracts and sold to separate landowners.

Following review of the written record and discussion, Rick Livesay moved to support the recommendation of the Zoning Board of Appeals and zone 3 acres residential for construction of 3 non-farm dwellings, seconded by Karol Vail. The result of the vote was as follows: Rick Livesay, yes; Karol Vail, yes; Ann DeSmith, yes; Jim King, absent and Dennis Anderson, absent. Carried.

- OR 4. 08-ZO TA by Henry County for increasing zoning application fees. No public comment but Planning Committee expressed concern about increasing fees too much. Increased fees will be less than those in Rock Island and Whiteside Counties.

5. 08-BCRF TA by Henry County for increasing building permit application fees. No public comment but Planning Committee expressed concern about increasing fees too much. Increased fees will be less than those in Rock Island County and City of Geneseo.
 6. 08-BCWF TA by Henry County for establishing a fee schedule for wind energy systems based on nameplate capacity. Invenergy and BP Alternative Energy representatives were present. Both wind energy company representatives and Iberdrola representative by email expressed no objection to proposed nameplate capacity fee schedule.
- B. Wind farm restoration/decommissioning. Still waiting for copy of Livingston County restoration/decommissioning agreement for review.
- C. Miscellaneous.
1. Annual Report on U.S. Wind Power Installation, Cost and Performance Trends: 2007.
 2. Ellen Robinson/IEPA report showing Henry County is in compliance with 10 and 15 year solid waste plan update requirements.
 3. Illinois Association of County Zoning Officials (IACZO) meeting minutes discussing ways to protect yourself when going out on a zoning/building investigation.
 4. Department attended an IACZO meeting at Starved Rock in Utica last Friday (May 30, 2008). Eighteen counties were represented at the meeting; all are experiencing downturns in zoning and building activity. Nearly every county in attendance had some form of wind energy interest or activity to report.
 5. Committee established the goal of having a successor Zoning/Building Department manager hired and ready to start work during November as an assistant to current Department Head until retirement.

Meeting adjourned at 6:45 p.m. Next meeting will be at 5:30 p.m. on July 2, 2008 in Room 103J of the Henry County Courthouse.

Respectfully,

William J. Philhower
Zoning/Building Manager

WJP/ms