

Planning & Zoning Meeting
Logan County Safety Complex
January 2, 2013

Present: David Hepler; Robert Farmer; Bill Martin; Pat O'Neill; Kevin Bateman

Absent: Jan Schumacher

Guests: Will D'Andrea; Gene Rohlf; Juanita O'Neill

Mr. Hepler called the meeting to order at 6:34 pm.

A motion was made by Mr. Bateman, seconded by Mr. Farmer, to approve the minutes from the December 5, 2012 meeting as printed. Motion passed.

Old Business:

- 1) Status of environmental complaints: Mr. Hepler had no update from the health officer, but the Board of Health will meet this month. The committee will continue to monitor this.

New Business:

- 1) None

Zoning Officer's Report: Mr. D'Andrea updated the committee on the quarry re-zone. It was passed by the Board and there is a 90-day window for any appeal. There were a total of 55 permits issued in 2012. That is down from an average of 70 for the last three years. Of the 55, there were six single family homes, which is down from 10-15 over the last several years. There were twelve permits for cell tower alterations because of network upgrades. Those generate \$750 per permit. There were also two private wind towers constructed in 2012. Nothing further to report.

Public comments: None

Communications: Mr. Hepler discussed a letter that was received from Alan Roos with concerns about an abandoned building. Mr. D'Andrea reminded the committee that the County has not adopted building codes giving the County authority to address this issue for demolition. Illinois Compiled Statutes does establish a process whereby the township would have to vote to petition the County Board to take action. The County Board could then decline to take any action for any variety of reasons. The township would then have the right to petition the Circuit Court to allow them authority through the courts to demolish the property. Mr. D'Andrea will provide this information to Mr. Roos.

Because of the challenges associated with the recent re-zone approved by the Board, Mr. Bateman initiated discussion about amending the zoning ordinance to include conditional uses for mining. Mr. D'Andrea explained the process to do so. The committee would need to develop new language, notice would need to be published for a public hearing and then it would follow the process of approval by the Regional Planning Commission, Zoning Board of Appeals and the County Board. He recommended the committee may elect to wait until the 90-day appeal period for the currently approved petition has passed before taking any action. There are several listed uses for M-3 extraction. Mining could be pulled out separately, if the committee chose. Mr. Bateman felt it would have been easier to make the recent decision if there had been a contract already in place between the landowner and the operator. Mr. Martin cautioned against including language indicating zoning won't be changed until there is a valid contract. He feels many companies will be hesitant to proceed, since many contracts require proper zoning be in place. Mr. D'Andrea reminded the committee that the zoning only states that the land is appropriate for the zoned use. Mr. Rohlf expressed concern that a company could enter into a contract with a landowner and then completely disregard any consequences, or requests, of neighboring property owners. Mr. D'Andrea indicated this could be

addressed in the conditional use process by stipulating there not be any injurious impact to nearby properties. Conditional uses can also have a review process that gets approved and signed by the owner and the developer. He is concerned that the County is somewhat unprotected in these situations. The benefit of this process would be that expectations are very clear. The drawback is these development regulations can be very lengthy and involved. It often requires additional design as part of the application and this also requires additional review by the County. For the most part, major developments within Logan County happen within, or are annexed by, cities within the County. This committee could adopt regulations requiring this process, but historically it would apply to a minimal number of projects in the County. Mr. D'Andrea was asked to provide some recommended language that would still promote business growth while protecting the County and its residents. This item will be kept on the agenda for further discussion.

A motion was made by Mr. Bateman, seconded by Mr. Martin, to approve the bills. Motion passed.

A motion was made by Mr. Bateman, seconded by Mr. Farmer, to adjourn the meeting. Motion passed. Meeting ended at 7:06 pm.