

ZONING BOARD OF APPEALS AGENDA
Tuesday, February 23, 2016
Boone County Board Room
1212 Logan Avenue
7:00 P.M.

ROLL CALL:

Members:

Tony Savino, Chair
Brian Van Laar, Vice-Chair
Joan Krumm
Mark Rhode
Norm Stimes

Staff:

Kathy Miller, Interim Planning Director
Gina DelRose, Associate Planner
Catherine Crawford, Administrative Assistant

MINUTES: Approval of Minutes from December 22, 2015.

PUBLIC COMMENT:

UNFINISHED BUSINESS: None

NEW BUSINESS:

01-2016; Boone County: The applicant is requesting a text amendment to the Boone County Zoning Ordinance in Chapter 4: Design Criteria for Specific Uses by adding a new Section 4.15. Second Dwelling Unit for Lot of Record Exchange with the following intent:

4.15.1 Intent. The purpose of the Dwelling Unit linked to the lot of record land exchange special use is to provide a means of obtaining the agricultural goals and objectives of the Boone County Land Use Plan to those properties with an existing lot of record that for some reason the owner wishes to build on the farm in a different location than the existing lot of record. This special use would allow the land owner of a lot of record to exchange land on a contiguous farm property with an existing dwelling unit to exchange a parcel of land (not less than two acres with 250 feet of road frontage) to construct a second dwelling. The existing lot of record would then be abandoned. The lot of record shall be located in the A-1 Agricultural Preservation Area District and in lawful existence prior to May 10, 1978.

Staff (Approval); BCRPC (4-0o; ZBA (); PZB (); CB ()

01-2016; Brent Johnson: The applicant, on behalf of the owner Huntwood Holdings I LLC is requesting a Special Use Permit to allow all metal siding as the exterior building material in the US Highway 20 Corridor Overlay District in the I-1 Light Industrial District at 1445 Huntwood Drive in unincorporated Flora Township.

Staff (Approval); ZBA (); PZB (); CB ()

OTHER BUSINESS: None

DISCUSSION: None

COMMUNICATIONS/PLANNING REPORTS:

Previous Case Update

Staff Report

ADJOURNMENT

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

401 Whitney Boulevard, Suite 300, Belvidere, Illinois, 61008 PH 815 544-5271 FAX 815 547-9214

February 3, 2016

ADVISORY REPORT

CASE NO: 01-2016

APPLICANT: Boone County, TA, LOR Exchange

REQUEST:

The applicant, Boone County, 1212 Logan Avenue, Belvidere, Illinois 61008 is requesting a text amendment pursuant to Section 2.10.1 to add language to Chapter 4 Design Criteria for Special Uses adding a section to allow a second dwelling unit for a Lot of Record Exchange.

4.15. SECOND DWELLING UNIT FOR LOT OF RECORD LAND EXCHANGE.

4.15.1 Intent. The purpose of the Dwelling Unit linked to the lot of record land exchange special use is to provide a means of obtaining the agricultural goals and objectives of the Boone County Land Use Plan to those properties with an existing lot of record that for some reason the owner wishes to build on the farm in a different location than the existing lot of record. This special use would allow the land owner of a lot of record to exchange land on a contiguous farm property (with an existing dwelling unit) to exchange a parcel of land (not less than two acres with 250 feet of road frontage) to construct a second dwelling. The existing lot of record would then be abandoned. The lot of record shall be located in the A-1 Agricultural Preservation Area District and in lawful existence prior to May 10, 1978.

4.15.2 Minimum Requirements to be Eligible for Special use

- A. The existing lot of record shall be abandoned. Documentation of the abandonment shall be provided prior to the issuance of any building permits.
- B. The new dwelling unit site in exchange for the lot of record parcel shall be part of the contiguous farm owned by the applicant.
- C. The exchanged parcel shall not be less than two acres and have a minimum of 250 feet of road frontage.
- D. A minimum distance of 200 feet shall be placed between detached dwelling units.

4.15.3 If the Dwelling Unit is to be separated from the property

- A. The minimum lot area shall be two acre. (Larger lots may be required due to other codes and ordinances such as setbacks and septic requirements.)
- B. The minimum amount of road frontage shall be 250 feet.
- C. The minimum front yard setback shall be 75 feet from any existing right of way.
- D. The minimum rear and side yard setbacks shall be 40 feet.
- E. Corner lots shall have the same minimum front yard requirements on each street side of the lot.

01-2016; Boone County, TA, Lot of Record Exchange

4.15.4 Additional Requirements

- A. Unless specifically stated above, all other A-1 zoning requirements shall apply.
- B. The additional dwelling unit shall be constructed on the contiguous farm property with common ownership of the lot of record.
- C. A Special Use Permit shall be issued for the construction of the dwelling unit according to Section 2.7 of the Boone County Zoning Ordinance.

4.156. MEDICINAL CANNABIS DISPENSARIES

4.156.1. Purpose. It is the purpose of this section to establish regulations for Medicinal Cannabis Dispensaries as authorized by Compassionate Use of Medical Cannabis Pilot Program Act 410 ILCS 130/140. To promote the safety and general welfare of the residents of Boone County, the criteria, processes, and regulations enumerated in this Section shall apply to any medicinal cannabis dispensary that operates within the County.

xxxxxxxxxxx = (Standard text) existing text within the zoning code; no changes proposed.
~~xxxxxxxxxxx~~ = (Strike through text) text that is proposed to be deleted from the zoning code.
xxxxxxxxxxx = (Underlined and highlighted text) new text that is proposed to be inserted into the zoning code

BACKGROUND AND SUMMARY OF FINDINGS:

The stated intent of the Agricultural Preservation Area District is to maintain, enhance and conserve prime agricultural soils and historically farmed soils; to protect sensitive natural features; and to prevent the uncontrolled, uneconomical spread of nonagricultural development resulting in excessive costs to the county for public services. The A-1 District's valuable agricultural soils and lots are to be very sparsely developed to protect the county's natural resources, indigenous plant and animal habitats and traditional rural lifestyles. The A-1 District is not intended for residential subdivisions. The ordinance allows all undeveloped A-1 lots in lawful existence prior to May 10, 1978 may be developed with one single-family residence per lot provided other provisions of the ordinance are met to limit the number of single-family homes constructed in the A-1 District.

Currently there is no opportunity to exchange an existing lot of record with another non-lot of record site to construct a home. The proposed amendment will allow a new dwelling unit site on the contiguous farm owned by the applicant in exchange for the lot of record parcel with a special use permit. The existing lot of record shall be abandoned with documentation presented prior to the issuance of a certificate of occupancy. The exchanged parcel shall not be less than two acres, have a minimum of 250 feet of road frontage and a minimum distance of 200 feet between detached dwelling units.

The planning staff recommends approval of case 01-2015 for a text amendment adding language to Chapter 4 for a special use for a second dwelling unit in exchange for an existing lot of record.

01-2016; Boone County, TA, Lot of Record Exchange

Submitted by:

Reviewed by:



Kathy J. Miller, Interim Planning Director



Gina DelRose, Associate Planner

ZONING BOARD OF APPEALS/COUNTY BOARD ACTION

The Zoning Board of Appeals shall make and forward findings of fact as to the whether the proposed text amendment furthers the purposes of the Zoning Ordinances and make a recommendation to the County Board. The County Board shall review the findings and recommendation and may accept or reject the findings and recommendation of the Zoning Board of Appeals in whole or in part; or the County Board may refer the matter back to the Zoning Board of Appeals for further consideration. Any approval shall be considered the approval of a unique request and not be construed as precedent for any other proposed text amendment.

01-2016; Boone County, TA, Lot of Record Exchange

ATTACHMENTS

1. Application/proposed language.
2. January 29, 2016 letter from Rich Lundin, Boone County Engineer.
3. January 28, 2016 letter from William Hatfield, Boone County Health Department.
4. February 10, 2016 letter from Drew Bliss, Senior Building Inspector.
5. February 12, 2016 letter from Raymond Morse, Manchester Township.

APPLICATION FOR TEXT AMENDMENT

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

**Belvidere City Hall
401 Whitney Blvd. Suite 400
Belvidere, IL 61008**

FOR OFFICE USE ONLY	Belvidere	Boone County
Case Number: <u>01-2016</u>	RZC Date _____	RPC Date <u>February 16, 2016</u>
Filing Date: <u>January 22, 2016</u>	BPZ Date _____	ZBA Date <u>February 23, 2016</u>
	CC Date _____	PZB Date <u>March 2, 2016</u>
	CC Date _____	CB Date <u>March 16, 2016</u>

City or County Text Amendment? (Please circle the appropriate answer)
~~Zoning Ordinance~~ or ~~Comprehensive Plan~~ Text Amendment (Please circle the appropriate answer)

Request: Dwelling Unit ~~under~~ for Lot of Record Exchange

Applicant's Name: Boone County

Applicant's Address: 1212 Logan Avenue
Belvidere, IL 61008

Applicant's Daytime Phone No: 815-544-5271 Fax No: 815-547-9214

If applicable:
 Attorney's Name: Nichelle Courier

Attorney's Address: 625 North Main Street
Belvidere, IL 61008

Attorney's Phone No: 815-544-0868 Fax No: 815-547-4847

Applicant's Signature: _____ Date: _____

STAFF'S SIGNATURE: Kathy J Miller Date: Jan. 22, 2016

Filing Fee - Amount Paid _____ Check Number: _____

- B. Individual agricultural conservation easement documents will be negotiated with the landowner and the organization accepting the easement, however at a minimum the following subjects must be addressed in the document to the satisfaction of the County Board.
1. An agricultural conservation easement document must be recorded with all appropriate agencies prior to any issuance of building permits.
 2. The agricultural conservation easement is legally binding to all present and future owners of the property in perpetuity.
 3. The primary purpose of the property will remain agricultural in nature. The easement shall not be sold or transferred to any other agency not qualified as stated above or with the intention of converting the property to a non-agricultural use.
 4. A site management plan will be prepared designating acceptable uses for each part of the property. At a minimum, the plan will contain a designated area for active agricultural enterprises and a designated area for residences(s) and buildings. At a minimum, the site management plan will be reviewed every 10 years by the landowner, easement holder, and the appropriate county committee or agency.
 5. The easement holder will make annual visits to the property and prepare a report documenting compliance with the easement and site management plan to the appropriate county committee or agency.
 6. If the easement is found to be noncompliant, the enforcement of the agricultural easement is the responsibility of the easement holder.

4.15. SECOND DWELLING UNIT FOR LOT OF RECORD LAND EXCHANGE.

4.15.1 Intent. The purpose of the Dwelling Unit linked to the lot of record land exchange special use is to provide a means of obtaining the agricultural goals and objectives of the Boone County Land Use Plan to those properties with an existing lot of record that for some reason the owner wishes to build on the farm in a different location than the existing lot of record. This special use would allow the land owner of a lot of record to exchange land on a contiguous farm property with an existing dwelling unit to exchange a parcel of land (not less than two acres with 250 feet of road frontage) to construct a second dwelling. The existing lot of record would then be abandoned. The lot of record shall be located in the A-1 Agricultural Preservation Area District and in lawful existence prior to May 10, 1978.

4.15.2 Minimum Requirements to be Eligible for Special use

- A. The existing lot of record shall be abandoned. Documentation of the abandonment shall be provided prior to the to the issuance of any building permits.
- B. The new dwelling unit site in exchange for the lot of record parcel shall be part of the contiguous farm owned by the applicant.
- C. The exchanged parcel shall not be less than two acres and have a minimum of 250 feet of road frontage.
- D. A minimum distance of 200 feet shall be placed between detached dwelling units.

4.15.3 If the Dwelling Unit is to be separated from the property

- A. The minimum lot area shall be two acre. (Larger lots may be required due to other codes and ordinances such as setbacks and septic requirements.)

- B. The minimum amount of road frontage shall be 250 feet.
- C. The minimum front yard setback shall be 75 feet from any existing right of way.
- D. The minimum rear and side yard setbacks shall be 40 feet.
- E. Corner lots shall have the same minimum front yard requirements on each street side of the lot.

4.15.4 Additional Requirements

- A. Unless specifically stated above, all other A-1 zoning requirements shall apply.
- B. The additional dwelling unit shall be constructed on the contiguous farm property with common ownership of the lot of record.
- C. A Special Use Permit shall be issued for the construction of the dwelling unit according to Section 2.7 of the Boone County Zoning Ordinance.

4.156. MEDICINAL CANNABIS DISPENSARIES

4.156.1. Purpose. It is the purpose of this section to establish regulations for Medicinal Cannabis Dispensaries as authorized by Compassionate Use of Medical Cannabis Pilot Program Act 410 ILCS 130/140. To promote the safety and general welfare of the residents of Boone County, the criteria, processes, and regulations enumerated in this Section shall apply to any medicinal cannabis dispensary that operates within the County.

4.156.2. Where permitted. Medicinal cannabis dispensaries may be allowed as a special use in any I-1 Light Industrial District and shall follow the procedure for special uses as specified in section 2.7 of this ordinance, as well as the provisions of this section 4.15.

4.156.3. Buffer Zone. Medicinal cannabis dispensaries may not be located within 1,000 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home or part-day child care facility as required under 410 ILCS 130/130(d). Medicinal cannabis dispensaries also may not be located within 1,000 feet of the property line from a religious institution.

4.156.4. Compliance with State Rules and Regulations. All medicinal cannabis dispensaries shall strictly comply with the requirements outlined in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*) and any administrative rules promulgated pursuant to the Act. All medicinal cannabis dispensaries must be registered with the Illinois Department of Financial and Professional Regulation and be in good standing.

4.156.5. Indemnity. The County Board may condition a special use permit on a requirement that the owners of any dispensary established in the County defend and indemnify the County of Boone, its officers and employees from and against any claim arising from the operation of the dispensary.

4.156.6. Hours of Operation. A medicinal cannabis dispensary may operate between the hours of 8:00 A.M. to 6:00 P.M. on any day of the week.

4.156.7. Use of Medicinal Cannabis on Premises Prohibited. The use of medicinal cannabis and the ingestion of medicinal cannabis infused products are prohibited on the site of any medicinal cannabis dispensary. A sign (at least 8.5 by 11 inches), shall be posted inside the dispensary in a manner that is readily and conspicuously visible to persons who enter the establishment and shall contain the following language, "Smoking, eating, and other forms of otherwise consuming or ingesting cannabis is prohibited on dispensary property."

4.156.8. Drive-Through Lanes Prohibited. No medicinal cannabis dispensary may operate a drive-through service, lane, or window.

4.156.9. Drug Paraphernalia Sales. Medicinal cannabis dispensaries that display or sell drug paraphernalia shall do so in strict compliance with the Illinois Drug Paraphernalia Control Act (720 ILCS 600/1 *et seq.*) and the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*).

4.156.10. Age and Access Limitations. It shall be unlawful for any medical cannabis dispensary to allow any person who is not at least eighteen (18) years of age on the premises. Dispensaries shall not employ anyone under the age of eighteen (18). Access shall be limited exclusively to dispensary staff, cardholders, designated caregivers, local and state officials and those specifically authorized under the Compassionate Use of Medical Cannabis Pilot Program Act.

4.167. MEDICINAL CANNABIS CULTIVATION CENTERS

4.167.1.Purpose. It is the purpose of this section to establish regulations for medicinal cannabis cultivation centers as authorized by Compassionate Use of Medical Cannabis Pilot Program Act 410 ILCS 130/140. To promote the safety and general welfare of the residents of Boone County, the criteria, processes, and regulations enumerated in this Section shall apply to any medicinal cannabis cultivation center that operates within the County.

4.167.2.Where permitted. Medicinal cannabis cultivation centers may be allowed as a special use in any I-1 Light Industrial District and shall follow the procedure for special uses as specified in section 2.7 of this ordinance, as well as the provisions of this section 4.16.

4.167.3.Buffer Zone. Medicinal cannabis cultivation centers may not be located within 2,500 feet of the property line of a pre-existing public or private preschool or elementary or secondary school or day care center, day care home, group day care home or part-day child care facility as required under 410 ILCS 130/130(d). Medicinal cannabis cultivation centers also may not be located within 2,500 feet of the property line of a religious institution.

4.167.4.Compliance with State Rules and Regulations. All medicinal cannabis cultivation centers shall strictly comply with the requirements outlined in the Compassionate Use of Medical Cannabis Pilot Program Act (410 ILCS 130/1 *et seq.*) and any administrative rules promulgated pursuant to the Act. All medicinal cannabis dispensaries must be registered with the Illinois Department of Agriculture and be in good standing.

4.167.5.Indemnity. The County Board may condition a special use permit on a requirement that the owners of any cultivation center established in the County defend and indemnify the County of Boone, its officers and employee from and against any claim arising from the operation of the cultivation center.

4.167.6.Hours of Operation. A medicinal cannabis cultivation center may operate between the hours of 8:00 A.M. to 6:00 P.M. on any day of the week.

4.167.7.Use of Medicinal Cannabis on Premises Prohibited. The use of medicinal cannabis and the ingestion of medicinal cannabis infused products are prohibited on the site of any medicinal cannabis cultivation center. A sign (at least 8.5 by 11 inches), shall be posted inside the cultivation center in a

manner that is readily and conspicuously visible to persons who enter the establishment and shall contain the following language, "Smoking, eating, and other forms of otherwise consuming or ingesting cannabis is prohibited on cultivation property."

4.167.8.Noxious Odors. The County Board may condition a special use permit on the condition that it is operated in a manner that prevents odor impacts on neighboring premises and, if necessary the facility shall be ventilated with a system for odor control.

4.167.9.Retail Sales Prohibited. The retail sale of any medicinal cannabis or medicinal cannabis related inventory by a cultivation center is prohibited. Sales of any products or inventory from a medicinal cannabis cultivation center must strictly comply with 410 ILCS 130/105.

4.167.10. Age and Access Limitations. It shall be unlawful for any medical cannabis cultivation center to allow any person who is not at least eighteen (18) years of age on the premises. Cultivation centers shall not employ anyone under the age of eighteen (18). Access shall be limited exclusively to cultivation staff, local and state officials and those specifically authorized under the Compassionate Use of Medical Cannabis Pilot Program Act.

xxxxxxxxxxx = (Standard text) existing text within the zoning code; no changes proposed.

~~xxxxxxxxxxx~~ = (Strike through text) text that is proposed to be deleted from the zoning code.

xxxxxxxxxxx = (Underlined and highlighted text) new text that is proposed to be inserted into the zoning code

3.16. Table Of Permitted Uses (continued)

KEY: P = Permitted Use; S = Special Use; T = Temporary Use; A = Accessory Use

D. Residential and Tourist Lodging Uses:	A1	A2	RE	R1	RC	RC2	RTN	B1	B2	I1	I2	Clarifying Conditions
Accessory dwelling units							P		P			
Accessory Relative Living Quarters	P	P	P	P	P	P	P					In the event a separate entrance and/or substantially separate living quarters is desired, then a special use is required in all permitted districts. See Section 4.11
Bed and breakfast establishment	S	S	S	S	S	S	S	S				
Convents, seminaries, monasteries	S		S	S	S	S	S					
Day care home	A	A	A	A	A	A	A	A				
Dwelling Unit Linked to Agricultural Conservation Easement	S				S							See Section 4.14
<u>Dwelling Unit Linked to Lot-of-record Exchange</u>	<u>S</u>											<u>See Section 4.15</u>
Dwelling units above ground floor retail, office, food service uses						P	P	P	P			
Group home	S				S	S	S					
Home-based business	P	P	P	P	P	P	P					
Home-based business, in accessory structure	A	S	S	S	S	S	S					
Hotels, Motels							S	S	P	P	S	
Mobile home parks				S			S					
Multiple-family residences						S	P					Subject to District conditions.
Private swimming pools	A	A	A	A	A	A	A					Provided they are totally enclosed by a fence or wall of a minimum 4 feet in height.
Rooming, boarding, or lodging houses (< 15 roomers or boarders)							P	S				
Single-family residences	P	P	P	P	P	P	P					Subject to District conditions



BOONE COUNTY HIGHWAY DEPARTMENT

9759 Illinois Route 76
Belvidere, Illinois 61008

RICHARD A. LUNDIN
COUNTY ENGINEER

OFFICE 815-544-2066
GARAGE 815-547-6142
FAX 815-544-8329
E-MAIL boonecohwy@comcast.net

January 29, 2016

Ms. Kathy Miller, Interim Planning Director
Belvidere-Boone County Planning Department
401 Whitney Blvd., Suite 300
Belvidere, Illinois 61008

RE: Zoning Ordinance Text Amendment – Chapter 4

Dear Ms. Miller,

I have no comments on the proposed text amendment changes.

Richard Lundin
Boone County Engineer



Boone County
DEPARTMENT OF
PUBLIC HEALTH

1204 Logan Avenue ♦ Belvidere, Illinois 61008

Main Office: 815-544-2951 ♦ Clinic: 815-544-9780
Fax: 815-544-2050 www.boonchhealth.org

The mission of the BCDPH is to protect and promote health in Boone County.

January 28, 2016

Kathy Miller
Belvidere-Boone County Planning Dept.
401 Whitney Blvd., Suite 400
Belvidere, IL 61008

Re: Notice of Hearing 01-2016; Boone County
Zoning Ordinance Text Amendment – Chapter 4, Design Criteria for Specific Uses

Dear Kathy,

We are in receipt of the text amendment for the above referenced case. Our office has no objections or comments on this request.

Thank you,

A handwritten signature in black ink, which appears to read "William L. Hatfield". The signature is written in a cursive style with a long horizontal line extending to the right.

William L. Hatfield
Director of Environmental Health

**BOONE COUNTY
BUILDING DEPARTMENT**

**1212 Logan Ave. Suite 101 Belvidere, Illinois 61008
(815)544-6176
(815)-547-0906(fax)**

February 10, 2016

To: Kathy Miller
Interim Planning Director

From: Drew Bliss
Senior Building Inspector

RE: Notice of Hearing 01-2016; Boone County Zoning Ordinance Text Amendment-
Chapter 4 Design Criteria for Special Uses; adding a new section 4.15 Second Dwelling
Unit for Lot of Record Exchange.

Dear Ms. Miller,

Our office has no objections or additional comments to the text amendment.

If you have any further questions, please feel free to contact our department at (815) 544-6176.

Thank you,



Drew Bliss
Senior Building Inspector
Boone County Building Department

Feb. 12, 2016

Boone County Planning Department

From; Manchester Township Planning Commission
In reference to 01-2016 Zoning Ordinance Text
Amendment - Chapter 4.

O to 5

The commission voted against the Amendment because of wording not aggressive enough about the abandoned dwelling. The commission would approve if the abandoned dwelling would be demolished in a reasonable time not to exceed 6 months after occupying the new dwelling.

The Manchester Board of Trustees also met and agreed with the Planning Commission.

Township Supervisor,

Raymond N. Moore

2-12-16

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

401 Whitney Boulevard, Suite 300 - Belvidere, Illinois 61008 PH (815) 544-5271 FAX (815) 547-9214

February 17, 2016

ADVISORY REPORT

CASE NO.: 02-2016

APPLICANT: Johnson, 1445 Huntwood Drive (EVAC)

REQUEST AND LOCATION:

The applicant, Brent Johnson, 1725 Huntwood Drive, Cherry Valley, Illinois 61016 on behalf of the owner Huntwood Holdings I, LLC, 1725 Huntwood Drive, Cherry Valley, Illinois 61016 is requesting a special use pursuant to Sections 2.7 Special Use and 3.14.9 Exceptions to allow the use of all metal siding as the exterior building material in the US Highway 20 Corridor Overlay District (Boone County Zoning Ordinance Section 3.14.6.C.1.f Building Design and Construction Material Standards) in the I-1 Light Industrial District at 1445 Huntwood Drive, Cherry Valley in unincorporated Flora Township (PIN: 07-05-100-019) on 4.10 acres. The applicant intends to construct a 10,000 square-foot addition comprised of the same materials as the existing building (EVAC North America). The subject property is rectangular in shape and located within the Huntwood Business Park south of US Route 20.

EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: EVAC North America

Adjacent properties:

North: Rock Valley Glass and vacant subdivision lot

South: Agricultural/row crop production

East: Badgerland Supply Inc.

West: Crossroads Self-storage

CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: I-1, Light Industrial District

Adjacent properties:

North, West and East: I-1, Light Industrial District

South: A-1, Agricultural Preservation Area District

COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:

Subject property: Planned Office

All adjacent properties: Planned Office

BACKGROUND:

The property is within the Huntwood Business Park off of Wheeler Road. The business park lies southwest of where US Route 20 passes over I-90. The subdivision was rezoned to light industrial in 1998 and platted in 1999. The building was constructed in 2001, prior to the adoption of the US Highway 20 Corridor Overlay District guidelines (adopted in 2008).

The US Highway 20 Corridor Overlay District requires buildings to be of masonry or glass materials. Metal siding can be used in limited quantities on the side and rear walls. The applicant intends to construct 10,000 square-foot addition comprised entirely of white metal siding to match the exterior of the existing building. The building currently has 20,000 square feet of warehouse space and 7,000 square feet of office space.

OTHER PLANNING CONSIDERATIONS:

The Boone County Soil and Water Conservation District states that an NRI report is not required.

The Boone County Engineer has no comments at this time.

The Boone County Building Department has no objections to this request, but will require the issuance of a building permit prior to construction.

The Boone County Health Department has no objections.

TREND OF DEVELOPMENT:

The subject property is located south of US Route 20 and east of Wheeler Road. As properties annex into municipalities and develop, those lying west of Wheeler Road will be under Cherry Valley's jurisdiction and those lying east of Wheeler Road will be under Belvidere's jurisdiction.

COMPREHENSIVE PLAN:

The subject property is designated as "Planned Office" by the Boone County Comprehensive plan adopted November 10, 1999. The Planned Office map category encourages high-quality office, institutional and office-support land uses with very generous landscaping and limited signage;

FINDINGS OF FACT:

According to Section 2.7.3 of the Boone County Zoning Ordinance, a special use shall not be granted unless the County Board finds the following facts:

1. **Findings:** The proposed structure or use at the particular location requested may be necessary or desirable to provide a service or a facility which is in the interest of the public and will contribute to the general welfare of the neighborhood or community.

The expansion of a local business is beneficial to the community in terms of job retention and property taxes. The business park is bordered by Wheeler Road, US Route 20 and I-90; there is little visibility from adjacent properties.

2. **Findings:** The proposed structure or use will not have a substantial adverse effect upon the adjacent property, the character of the neighborhood, traffic conditions, utility facilities and other matters affecting the public health, safety and general welfare.

The majority of buildings within the business park are comprised of metal siding. The addition would not deter from the character of the neighborhood. The business park is comprised of a cul-de-sac (Huntwood Drive) accessed by Wheeler Road.

Increased traffic from employees and semi-trucks is not anticipated to create a negative impact on the existing road system.

3. **Findings:** The proposed structure or use will be designed, arranged and operated so as to permit the development and use of neighboring property in accordance with the applicable district regulations.

The addition will be to the rear of the building and not visible from Huntwood Drive. The addition will meet all required setbacks, stormwater management and other applicable codes and ordinances. Development of neighboring properties will not be impacted by the addition.

4. **Findings:** Such other standards and criteria as are established by the ordinance for a particular Special Use as set forth in Section 2.7.4 and as applied to Planned Developments as set forth in Section 2.10 shall apply to the property for as long as the Special Use Permit is in effect.

The special use will be required to conform to all the applicable regulations of the Zoning in addition to any conditions of approval enacted by the County Board.

5. **Findings:** The Special Use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the County Board pursuant to the recommendations of the Zoning Board of Appeals.

Findings: This criterion does not apply.

6. **Findings:** The potential public benefits of the Special Use outweigh any potential adverse impacts of the Special Use after taking into consideration the Applicant's proposal and any requirement recommended by the Applicant to ameliorate such impacts.

The special use would allow the applicant to not place any masonry materials on the 10,000 square-foot addition. It is not anticipated that the siding utilized would detract from the value or marketability of the area; in fact, the addition is allowing a business to stay in the community.

SUMMARY OF FINDINGS:

The business park is bordered by Wheeler Road, US Route 20 and I-90; there is little visibility from adjacent properties.

The majority of buildings within the business park are comprised of metal siding. The addition would not deter from the character of the neighborhood. The business park is comprised of a cul-de-sac (Huntwood Drive) accessed by Wheeler Road. Increased traffic from employees and semi-trucks is not anticipated to create a negative impact on the existing road system.

The addition will be to the rear of the building, not visible from Huntwood Drive. The addition will meet all required setbacks, stormwater management and other applicable codes and ordinances. Development of neighboring properties will not be impacted by the addition.

The special use would allow the applicant to not utilize masonry materials on the 10,000 square-foot addition. It is not anticipated that the use of metal siding would detract from the value or marketability of the area; in fact, the addition is allowing a business to stay in the community. The expansion of a local business is beneficial to the community in terms of job retention and property taxes.

RECOMMENDATION:

Planning staff recommends the approval of case number 02-2016, subject to the following conditions:

1. Compliance with the narrative, site plan and building elevations dated January 26, 2016.
2. A full site plan shall be submitted to and approved by the staff (building, public works, police, fire, planning, etc.) prior to the issuance of building permits.
3. The special use shall comply with all applicable codes and ordinances.

Submitted by:

Reviewed by:



Gina DelRose
Associate Planner



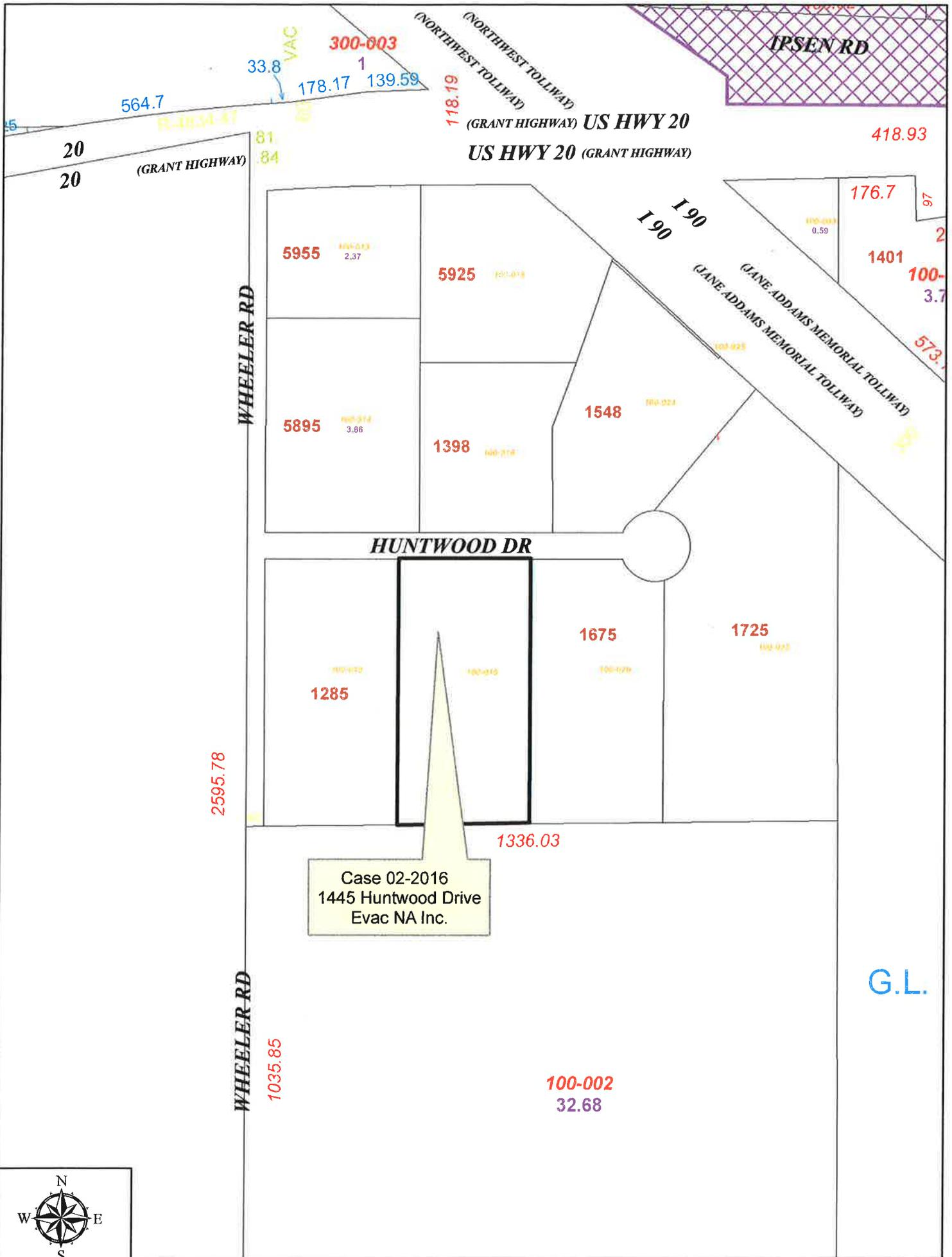
Kathy J. Miller, AICP
Interim Planning Director

ZONING BOARD OF APPEALS/COUNTY BOARD ACTION

After the holding of the public hearing, the Zoning Board of Appeals shall make and forward findings of fact as to the compliance of the proposed special use with the standards and give a recommendation to the County Board. The Zoning Board of Appeals may recommend and the County Board may impose conditions as necessary to secure compliance with the standards. The County Board shall review the findings and recommendation and may accept or reject the findings and recommendation of the Zoning Board of Appeals in whole or in part; or the County Board may refer the matter back to the Zoning Board of Appeals for further consideration; or, in the case of rejecting the Zoning Board's recommendation and findings, the County Board may grant or deny the special use request.

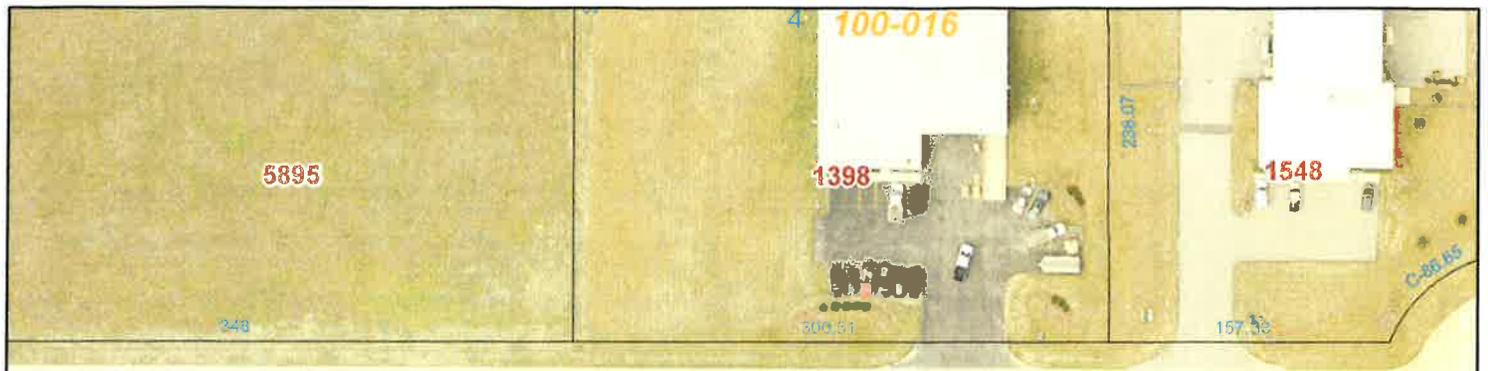
ATTACHMENTS

1. Location Map, by Planning Staff.
2. Aerial Photo, by Planning Staff.
3. Application/Narrative submitted by the Applicant.
4. Site Plans and Building Elevations dated January 26, 2016 submitted by the Applicant.
5. Letter submitted by the Boone County Soil and Water Conservation District, Jennifer Becker, dated February 1, 2016.
6. Letter submitted by the Boone County Highway Department, Rich Lundin, dated February 9, 2016.
7. Letter submitted by the Boone County Building Department, Drew Bliss, dated February 10, 2016.
8. Letter submitted by the Boone County Health Department, William Hatfield, dated February 11, 2016.

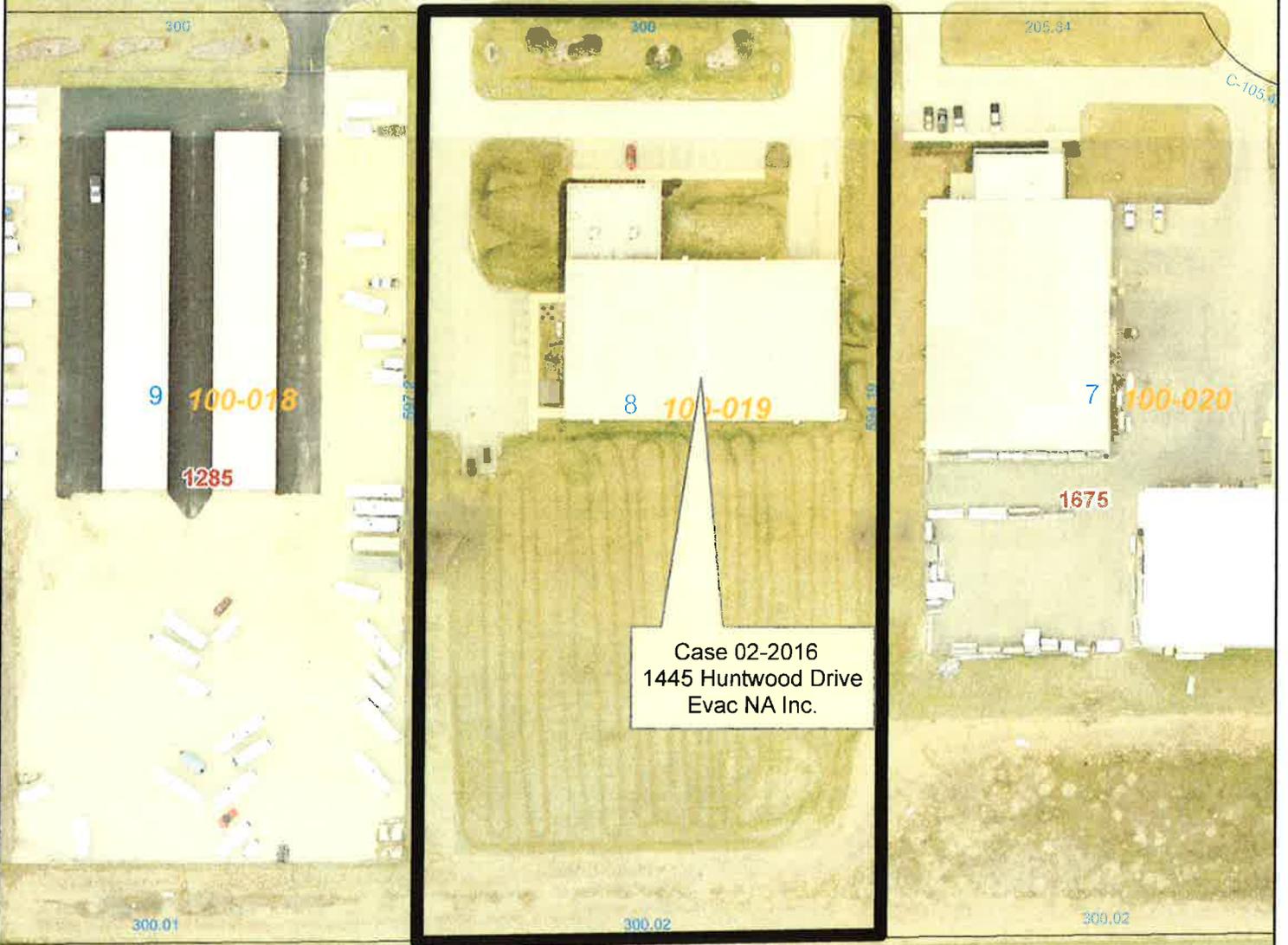


1 inch = 277 feet

Case 02-2016
 1445 Huntwood Drive
 Evac NA Inc.

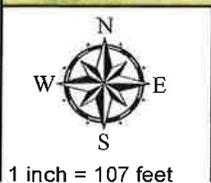


HUNTWOOD DR



Case 02-2016
1445 Huntwood Drive
Evac NA Inc.

1336.03



APPLICATION FOR SPECIAL USE

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

**Belvidere City Hall
401 Whitney Blvd. Suite 400
Belvidere, Illinois 61008**

FOR OFFICE USE ONLY		Belvidere	Boone County
Case Number	<u>02-2016</u>	PZC Date	ZBA Date <u>2/23/2016</u>
Filing Date	<u>2/1/2016</u>	CC Date	PZB Date <u>3/2/2016</u>
Zone District	<u>I 1</u>	CC Date	CB Date <u>3/16/2016</u>

If this application is approved, it is understood that it shall only authorize the special use described in the application with any conditions placed on the special use per the governing body. If the conditions are not met and/or the use is not established (or substantially underway) within one (1) year from the date of approval, the special use shall be null and void.

PLEASE PRINT IN BLACK INK OR TYPE

1) The address or general location of the property for which this application is filed is:
1445 Huntwood Dr. Cherry Valley, IL 61016

_____ and its
Parcel Identification Number is: 0705100019

and the legal description for the subject property is: Lot #8 _____, Block _____,
Tract _____, Subdivision Name Huntwood Business Park

(NOTE - If there is no lot, block, or tract, then attach a legal boundary description hereto.)

2) Applicant Name: Brent Johnson

Mailing address: 1725 Huntwood Dr.
Cherry Valley, IL Zip: 61016

Daytime Phone: 815-332-8620 Fax: 815-332-8411 Email: bjohnson@ringland.com

3) Property Owner Name: Huntwood Holdings I LLC

Mailing Address: 1725 Huntwood Dr.
Cherry Valley, IL Zip: 61016

Daytime Phone: 815-332-8620 Fax: 815-332-8411

4) Attorney Name: Ander Smith

Mailing Address: 4320 Spring Creek Road
Rockford, IL Zip: 61107

Daytime Phone: 815-985-3000 Fax: _____ Email: ander@andersmithlaw.com

5) **Project Manager:** In order to reduce confusion, planning staff requests one contact person be designated to discuss issues concerning this petition.

Name: Brent Johnson

Mailing Address: 1725 Huntwood Dr.

Cherry Valley, IL

Zip: 61016

Daytime Phone: 815-332-8620 Fax: 815-332-8411 Email: bjohnson@ringland.com

6) Describe the current use of the subject property: Industrial/Warehouse

7) List the Special Use, as specified within the Zoning Ordinance, that you are seeking the approval of and describe the proposed use of the subject property in detail:
Zoning Ordinance 3.14.6-C-1-f

Request exterior walls to be all metal panels to match existing building and business park.

Addition is in the back of property and will not be visible to most roads. Any change to materials to this addition will clash with existing metal building in a non pleasing way.

8) Total number of acres the Special Use will occupy: 4.10 acres

9) **LIST THE OWNERS OF RECORD: Boone County applicants** shall list the owner of record for all properties located adjacent to and across the street or alley from the perimeter of the subject property. **City of Belvidere applicants** shall list the owner of record for all properties within 250 feet of the subject property (exclusive of public right-of-ways). This information is found at the Supervisor of Assessments Office, 1208 Logan Ave. or the Planning Office. Verifying the accuracy of information is the responsibility of the applicant (use additional pages if necessary).

PIN #	Name/Trust No.	Street	City	Zip
0705100018	Crossroads Self Storage	1285 Huntwood Dr.	Cherry Valley	61016
0705100020	Badgerland <i>Investors LLC</i>	1285 Huntwood Dr.	Cherry Valley	61016
0705100016	Rock Valley Glass	1398 Huntwood Dr.	Cherry Valley	61016
0705100002	Patricia Thompson	<i>19212 RIVER RD</i> Wheeler Rd.	<i>MARENGO, IL</i> Cherry Valley	61016 <i>60152</i>

see attached



Ringland-Johnson

CONSTRUCTION

Builder-Developer

Date: February 2, 2016

Kathy Miller
Boone County Planning Department
401 Whitney Blvd.
Belvidere, IL 61008

RE: EVAC North America -1445 Huntwood Dr. Cherry Valley, IL 61016

Dear Kathy,

In response of Zoning Ordinance 3.14.6-C-1-f.

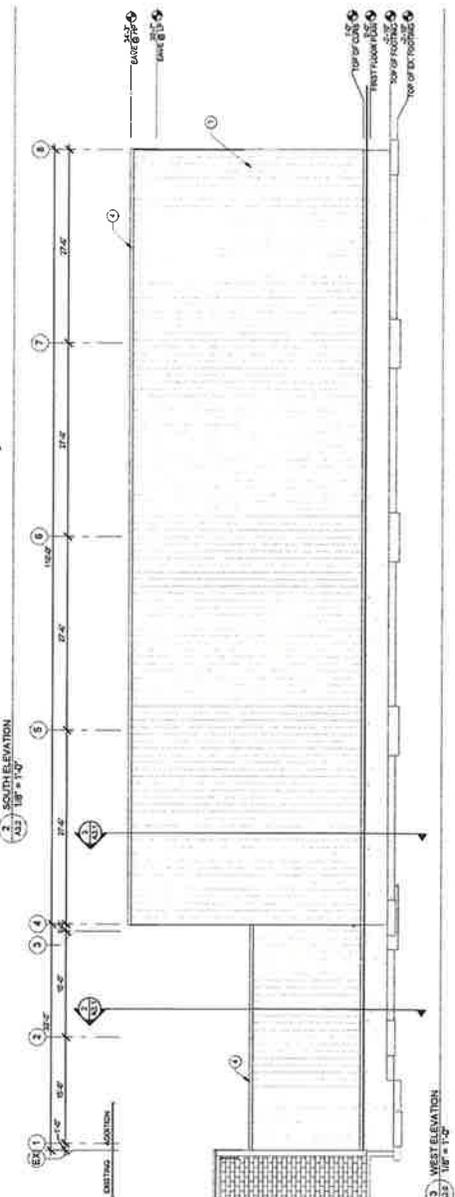
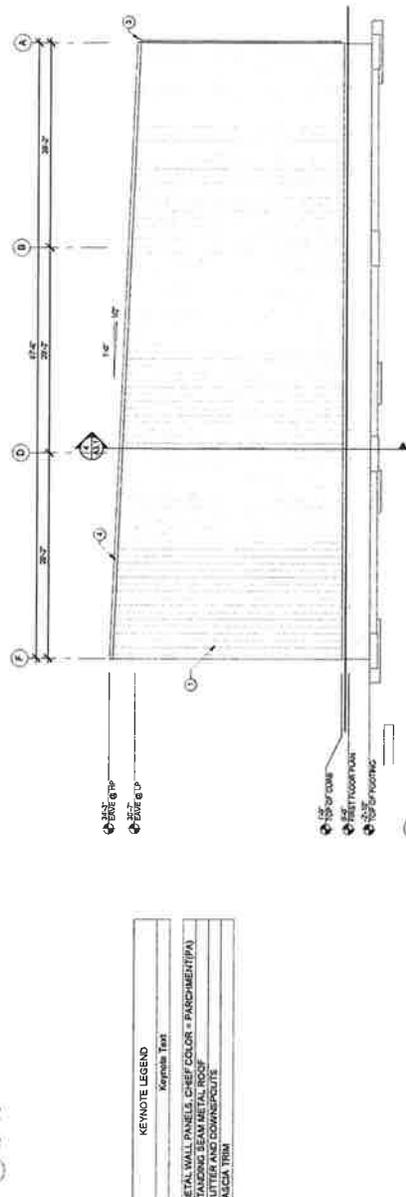
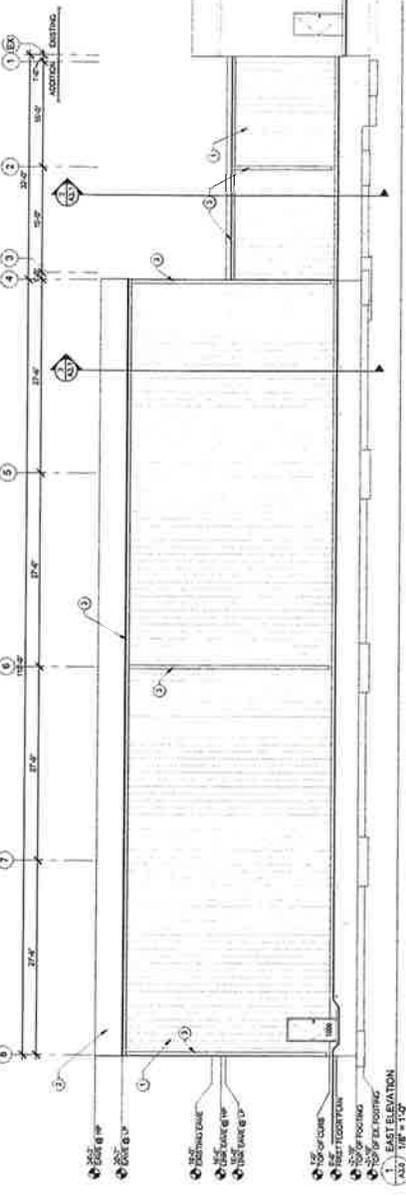
We are requesting a Special Use Permit to allow the use of metal panel exterior wall finish for the addition at EVAC North America. The new addition will be located behind the current building and will not be visible to most roads. The current building is 100% metal panel and we feel introducing a second type of finish on the new addition would only make the existing front of the building look out of place and less appealing.

The current Huntwood Business Park is made up mostly of metal panel buildings. We feel this addition with the metal panel would fit seamlessly with the surrounding buildings.

Sincerely,
RINGLAND-JOHNSON CONSTRUCTION

Name: Scott Mutton
Title: BIM Manager

cc: Gina Delrose



KEYNOTE LEGEND

Key Value	Keynote Text
1	METAL WALL PANELS, CHEF COLOR = PARCHEMERT(P/A)
2	STANDING SEAM METAL ROOF
3	GUTTER AND DOWNSPOUTS
4	FASCIA TRIM

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Official Seal

Date: _____
 Expiration Date: _____
 Firm License No. _____

DESIGN DEVELOPMENT

FOR BID PURPOSES ONLY NOT FOR CONSTRUCTION

HYNIES ASSOCIATES
 1445 HUNWOOD DRIVE
 CHERRY VALLEY, IL 61016
 312.200.1111

Ringland Johnson + design

Ringland Johnson + design, Inc.
 1445 Hunwood Drive
 Cherry Valley, Illinois 61016
 312.200.1111

Ringland-Johnson CONSTRUCTION

#	Description	Date

NEW ADDITION for

EVOC LOCAL SERVICE AUTHORITY
 1445 Hunwood Drive
 Cherry Valley, IL 61016

Project No.: 315-027
 Date: 07/26/16

EXTERIOR ELEVATIONS

Sheet: **A3.0**

The owner consents that all drawings, specifications, and other documents prepared by the architect are the property of the architect and shall remain the property of the architect. No part of these drawings or specifications shall be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written consent of the architect.

Official Seal
 Date: _____
 Explanation Date: _____
 Firm Licensed In: _____

DESIGN DEVELOPMENT

FOR BID PURPOSES ONLY NOT FOR CONSTRUCTION

HYNIES
 ARCHITECTS
 1727 HIGHLAND DRIVE
 CHERRY VALLEY, PA 17011
 P: 717-237-8833 F: 717-237-8844

Ringland Johnson
+design

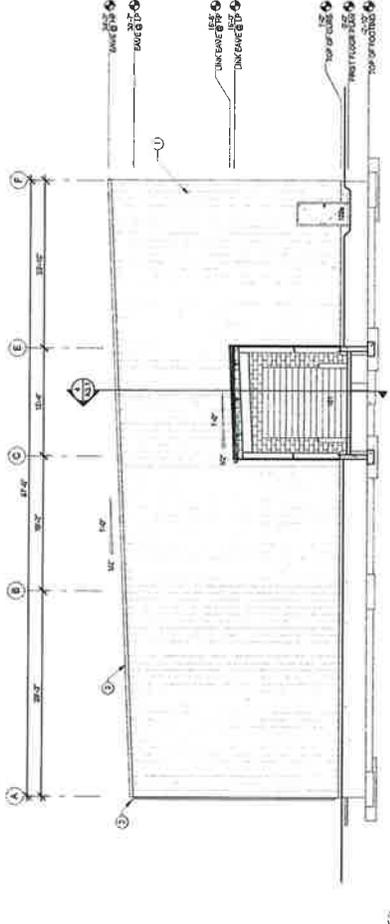
Ringland Johnson + design, Inc.
 1727 Highland Drive
 Cherry Valley, PA 17011
 P: 717-237-8833 F: 717-237-8844

Ringland-Johnson
 CONSTRUCTION

#	Description	Date

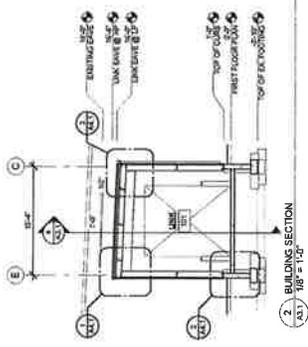
NEW ADDITION for
 Evac Southwestern Inc.
 1465 HIGHLAND DRIVE
 CHERRY VALLEY, PA 17011

PROJECT NO: 315-027
 DATE: 07/25/16
 BUILDING SECTIONS
 SHEET: A3.1

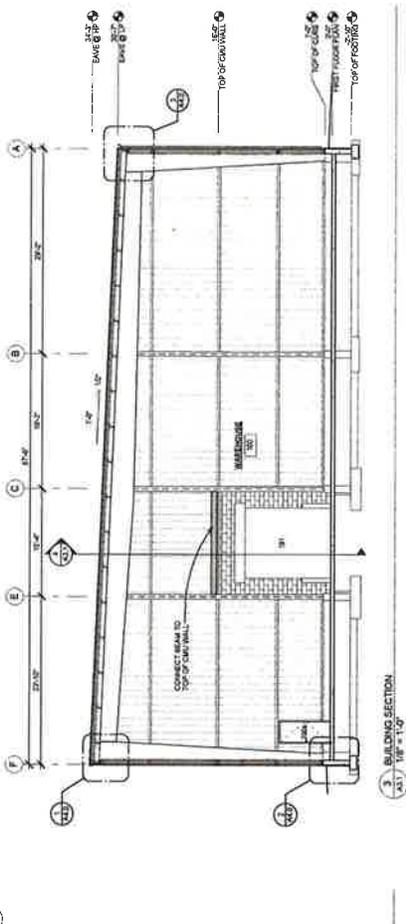


1 FRONT ELEVATION
 A3.1 1/8" = 1'-0"

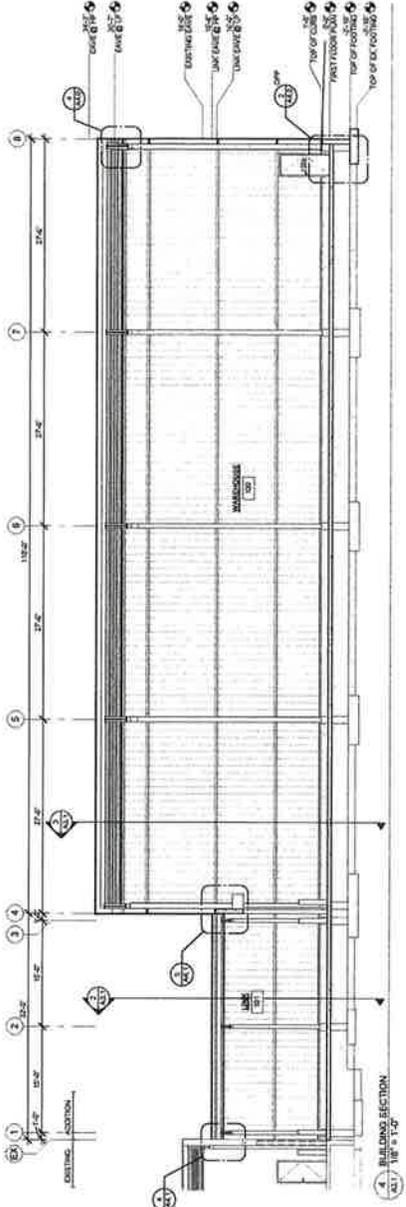
Key Value	KEYNOTE LEGEND
1	METAL WALL PANELS, CHEST COLOR = PARCHEMENT(PA)
2	OUTRIG AND DOWNPOUTS
3	FASCIA TRIM



2 BUILDING SECTION
 A3.1 1/8" = 1'-0"



3 BUILDING SECTION
 A3.1 1/8" = 1'-0"



4 BUILDING SECTION
 A3.1 1/8" = 1'-0"



Boone County
Soil & Water
Conservation District

211 N. Appleton Road
PO Box 218
Belvidere, IL 61008
815-544-2677 ext. 3
FAX 815-544-4281

February 1, 2016

SWCD NRI #: 1484

Dear Sir/Madam,

A request for a Natural Resource Information Report was submitted for the property listed in this letter. We will supply a written reply to you office as indicated below:

Our review does not apply in this instance.
 Other (see attached)

Location of Site: 1445 Huntwood Dr. Cherry Valley, Illinois 61016

PIN(S): 07-05-100-019

Contact:

Brent Johnson
Phone: (815) 332-8620
Email: bjohnson@ringland.com

Petitioner:

Brent Johnson
1725 Huntwood Dr.
Cherry Valley, IL 61016

Owner:

Huntwood Holdings I LLC
1725 Huntwood Dr.
Cherry Valley, IL 61016

Request: Special use for exterior building materials

Sincerely,

Jennifer Becker
Boone County Soil & Water
Conservation District



BOONE COUNTY HIGHWAY DEPARTMENT

9759 Illinois Route 76
Belvidere, Illinois 61008

RICHARD A. LUNDIN
COUNTY ENGINEER

OFFICE 815-544-2066
GARAGE 815-547-6142
FAX 815-544-8329
E-MAIL boonecohwy@comcast.net

February 9, 2016

Ms. Kathy Miller, AICP, Interim Planning Director
Belvidere-Boone County Planning Department
401 Whitney Blvd., Suite 300
Belvidere, Illinois 61008

RE: Case 02-2016; Brent Johnson

Dear Ms. Miller,

I have no comments regarding this special use request.

Richard A. Lundin
Boone County Engineer

**BOONE COUNTY
BUILDING DEPARTMENT**

**1212 Logan Ave. Suite 101 Belvidere, Illinois 61008
(815)544-6176
(815)-547-0906(fax)**

February 10, 2016

To: Kathy Miller
Interim Planning Director

From: Drew Bliss
Senior Building Inspector

RE: 02-2016; Brent Johnson, 1445 Huntwood Drive, Cherry Valley

Dear Ms. Miller,

Our office has no objections to the variance request. The applicant is aware that a building permit will be required if the case is approved.

If you have any further questions, please feel free to contact our department at (815) 544-6176.

Thank you,



Drew Bliss
Senior Building Inspector
Boone County Building Department



Boone County
DEPARTMENT OF
PUBLIC HEALTH

1204 Logan Avenue ♦ Belvidere, Illinois 61008

Main Office: 815-544-2951 ♦ Clinic: 815-544-9780

Fax: 815-544-2050 www.boonehealth.org

The mission of the BCDPH is to protect and promote health in Boone County.

February 9, 2016

Kathy Miller
Belvidere-Boone County Planning Dept
401 Whitney Blvd., Suite 400
Belvidere, IL 61008

Re: 02-2026; Brent Johnson, 1445 Huntwood Drive, Cherry Valley

Dear Kathy,

We are in receipt of the special use request for the above referenced case.

Our office has no objections or comments on this request.

Thank you,

William L. Hatfield
Director of Environmental Health

2016

County

				FEBRUARY				
Date	Planner	Case Number	Request	Petitioner	PC	ZBA	PZB	CB
01/22/2016	KM	01-2016	TA	Boone County	02/16/2016	02/23/2016	03/02/2016	03/16/2016
2/1/2016	GD	02-2016	SU	Brent Johnson		2/23/2016	3/2/2016	3/16/2016
Subdivision								
Special Use								1
Rezone								
Text Amendment								1
Variation								
Administ. Var								
Appeals								
Total								1