

**ZONING BOARD OF APPEALS AGENDA**  
**Tuesday, June 28, 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:**

Shelly Griswold, Boone County Planning Consultant  
Ken Terrinoni, County Administrator  
Justyn Miller, Assistant to the County Administrator

**Other:**

Catherine Crawford, Transcriptionist

**MINUTES:** Approval of Minutes from May 24, 2016.

**PUBLIC COMMENT:**

**UNFINISHED BUSINESS:** None

**NEW BUSINESS:**

**10-2016; Diveley:** The application of Alysia Diveley, 420 Talladega Drive SW, Poplar Grove, Illinois 61065, on behalf of the owners Richard G and Alysia A Diveley, 420 Talladega Drive SW, Poplar Grove, Illinois 61065, requesting a zoning variance to decrease the required rear setback from 35 feet to 20 feet to construct a deck at 420 Talladega Drive SW, Poplar Grove, Illinois 61065, in the R-1 Single Family Residential District (Boone County Zoning Ordinance Section 3.5.4.A. Lot Development Standards – Residential Uses and Section 2.8 Variances) in Poplar Grove Township (PIN: 03-27-452-016).

**Staff (Approval); ZBA ( )**

**11-2016; Perry:** The application of Kevin Perry and April Perry, 3540 Partridge Lane, Belvidere, Illinois 61008, requesting a Special Use Permit to add relative living quarters with a separate primary entrance and substantially separate living quarters under Sub-section 4.11.3 (Permitted districts) of Section 4.11 (Accessory Relative Living Quarters) of the Boone County Zoning Ordinance. The subject property is located at 15917 Capron Road, Capron, Illinois 61062, in unincorporated Boone Township on 7.57 acres.

**Staff (Approval); ZBA ( )**

**OTHER BUSINESS:** None

**DISCUSSION:** None

**COMMUNICATIONS/PLANNING REPORTS:**

**Previous Case Update**

**Staff Report**

**ADJOURNMENT**

**BOONE COUNTY  
ZONING BOARD OF APPEALS  
MINUTES  
Tuesday, May 24, 2016  
County Board Room  
7:00 P.M.**

**ROLL CALL**

**Members Present:**

Brian Van Laar, VCHM  
Joan Krumm  
Mark Rhode  
Norm Stimes

**Staff Present:**

Shelly Griswold, Planning Consultant  
Justyn Miller, Assistant to the County Administrator

**Members Absent:**

Tony Savino, Chairman

**Ex-Officio:**

Bob Walberg, County Board Chairman

With a quorum present, Vice-Chairman Brian Van Laar called the meeting to order at 7:00 p.m.

**MINUTES:**

Joan Krumm stated she wished to correct paragraph six of page 5; she attributed the statement made in this paragraph to Paul Miller and not herself. Ms. Krumm also stated she did not make the statement in paragraph two of page eight; she wished this paragraph to be stricken from the minutes.

It was moved and seconded (Krumm/Stimes) to approve the minutes of April 26, 2016 with the changes made. The motion carried with a 4-0 voice vote.

**PUBLIC COMMENT:**

There was no public comment.

**UNFINISHED BUSINESS:**

None

**NEW BUSINESS:**

**08-2016; Horstman:** The Application of Curt and Wendy Horstman, 209 Brandywine Drive SE, Poplar Grove, Illinois for a Zoning Variance to decrease the required rear setback from 35 feet to 23 feet to construct a deck at 209 Brandywine Drive SE, Poplar Grove, Illinois in the R-1 Single Family Residential District (Boone County Zoning Ordinance Section 3.5.4.A. Lot Development Standards- Residential Uses and Section 2.8 Variances) in unincorporated Poplar Grove Township (PIN: 03-26-305-014).

The public hearing opened at 7:11 p.m.

Shelly Griswold, Planning Consultant with the firm Fehr-Graham, was sworn in. Ms. Griswold summarized the staff report. Ms. Griswold stated all seven of the findings of fact necessary to recommend a variance had been met. Ms. Griswold said the staff recommends approval of the variance to construct a deck.

There were no questions for the staff.

Brian Van Laar invited the applicants to step forward.

Curt Horstman was sworn in. Mr. Horstman indicated he had nothing further to add.

Joan Krumm asked Mr. Horstman to indicate his backyard lot line on a map provided.

Curt Horstman did so.

Brian Van Laar asked Mr. Horstman how far it will be from the proposed deck to the back lot line once the deck is built.

Curt Horstman said he was not sure, but the deck will measure 16 feet by 12 feet.

Wendy Horstman was sworn in. Ms. Horstman indicated the relative distance to the property line.

Brian Van Laar asked if there had been any comments from neighbors.

Justyn Miller verified there had been no comments forwarded.

Norm Stimes asked if the deck would be centered from the peak of the roof.

Curt Horstman said this was correct.

Norm Stimes asked for the depth of the proposed deck.

Curt Horstman stated it would be 12 feet in depth.

Joan Krumm asked for clarification that the deck would include stairs.

Curt Horstman said there would be two steps.

Joan Krumm questioned whether the size of the stairs would add to the requested variance size.

Wendy Horstman said a Candlewick Lake official had drawn up the measurements; Ms. Horstman has assumed the measurements are correct.

Brian Van Laar referred board members to the application; the requested variance length is 23 feet. Mr. Van Laar said that if the steps are not included in that amount, they will need to be constructed to the side of the proposed deck. Mr. Van Laar said in his opinion the building department will enforce that measurement.

It was moved and seconded (Stimes/Rhode) to close the public hearing. The public hearing closed at 7:25 p.m.

It was moved and seconded (Krumm/Stimes) to accept the findings of fact. The motion carried with a 4-0 voice vote.

It was moved and seconded (Rhode/Stimes) to approve case 08-2016. The motion carried with a 4-0 roll call vote.

Brian Van Laar said the Horstmans would contact the building department to secure permits.

Wendy Horstman stated they must first submit documentation to the Candlewick Lake authorities and requested a letter to submit to them.

Justyn Miller said a letter would be forwarded to the applicants.

**09-2016; Hildenbrandt:** The Application of Kenneth W. and Donald F. Hildenbrandt, 2587 Stateline Road, South Beloit, Illinois 61080, for a Zoning Variance to allow for the construction of a freestall barn and milking parlor in the A-1 Agricultural Preservation Area District (Boone County Zoning Ordinance Section 3.16 Table of Permitted Uses, Section A. Agriculture Uses-Permitted Uses) that encroaches across the property lines of two adjacent properties located at 2587 Stateline Road, South Beloit, Illinois, 61080, in Manchester Township (PIN: 01-04-300-008).

Attorney Natalie Barber presented maps to the board members.

The public hearing opened at 7:27 p.m.

Shelly Griswold summarized the staff report. The request for a variance to construct a freestall barn and milking parlor that encroaches on two adjacent properties is problematic in the staff's opinion due to several issues. The two adjacent properties are owned by the Fred W. Hidenbrant Trust that includes the two Hildebrandt brothers, Kenneth W. and Donald F as well as their mother. Three of the findings of fact do not appear to be met. Finding number one states that the variance request must address a hardship based on physical features that exists on the property. This hardship is not met, due to the fact that the variance is being requested to avoid opening up the trust and subdividing the property to allow building on it. Finding number two is problematic because a variance granted for the convenience of the property owners might set a precedent for future variances that do not meet the findings of fact. Finding number

seven states the public benefit of the variance must outweigh the possible negative effects. Ms. Griswold stated she consulted with the state's attorney regarding this variance request. Ms. Griswold said she asked Ms. Courier if an easement might be a solution to the problem; it was the state's attorney's opinion that an easement would not solve the problems inherent in granting a variance that encroaches on another property.

Joan Krumm asked why the variance request would be at issue since the three properties in question are all within ownership of the same family.

Shelly Griswold said the issue may not cause a problem for the owners now, but the granting of such a variance might cause a problem in the future when the properties in question might be sold; a future owner may have an issue with an adjacent property owner's building existing on his property. The zoning ordinance does not allow for such encroachment.

Brian Van Laar said it is his opinion the proposed outbuildings do not "encroach" on the adjacent parcel but they actually "cross over" the property line.

Shelly Griswold said this is correct; in fact, the proposed buildings cross over by some distance.

Joan Krumm asked if Ms. Griswold was suggesting rewriting the trust language.

Shelly Griswold said that is not for her to say; Ms. Griswold said two possible solutions would be resubdividing the parcels, or moving the proposed outbuildings so that they may be built on only one parcel. Ms. Griswold said others may have a third option to present.

Brian Van Laar asked Natalie Barber to step forward.

Natalie Barber was sworn in. Ms. Barber, attorney for the applicants, referred ZBA members to the map she presented previously. Ms. Barber pointed out the two buildings the applicants wished to build. Both buildings were shown as crossing over the property line. Ms. Barber said Don and Ken Hildenbrandt own an undivided half interest of their parcel. The property to the right of their parcel is owned by their late father's trust, of which their mother, Anne Hildenbrandt is a trustee. Mrs. Hildenbrandt owns an undivided half interest in this parcel and the Hildenbrandt brothers own the other half equally. While the two parcels have common owners, the trust that exists is its own ownership entity. This may cause an issue in the future if the property were sold to another party. Ms. Barber stated that Anne Hildenbrandt chose to gift 200 feet eastwardly to her two sons. Ms. Barber said the gift is detailed in a new deed that was drawn up. Ms. Barber said 150 feet of land was required for building the new outbuildings and a 40 foot setback (as required in the zoning ordinance for A-1 Agricultural parcels) was added, totaling 190 feet. Ten feet of additional land was included in the gift. Ms. Barber said she, therefore, wished to withdraw the variance

request. Ms. Barber also requested that the ZBA members give their comments so that the applicants may approach the building department for building permits. Ms. Barber pointed out the state plat act affidavit that was completed for the applicants.

Joan Krumm asked if the applicants would need to reapply.

Brian Van Laar clarified the situation for Ms.Krumm.

Shelly Griswold pointed out that this would fall under exception number three of the Illinois Plat Act which states the applicants are not required to petition the county to subdivide the parcels.

Brian Van Laar suggested the members move to accept the findings of fact and thereby vote down the request.

Shelly Griswold said if the request is voted down, the applicants are not allowed to apply again for the next year.

Natalie Barber suggested a better solution would be to formally withdraw the application.

Mark Rhode agreed that withdrawal is a better option.

Natalie Barber said the applicants hereby withdraw their variance request.

It was moved and seconded (Krumm/Stimes) to close the public hearing. The public hearing closed at 7:43 p.m.

It was moved and seconded (Krumm/Stimes) to accept the applicants' request to withdraw the application. The motion carried with a 4-0 roll call vote.

**OTHER BUSINESS:**

None

**DISCUSSION:**

None

**COMMUNICATIONS/PLANNING REPORTS:**

Justyn Miller said there would be two cases before the ZBA in June. One is a variance request and one is a special use application. The special use application would be for an auction business.

**ADJOURNMENT:**

It was motioned and seconded (Krumm/Rhode) to adjourn the meeting.

The meeting was adjourned at 7:45 p.m.

**Recorded by:**

**Reviewed by:**

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Catherine Crawford  
Transcriptionist

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Ken Terrinoni  
County Administrator

DRAFT

# BOONE COUNTY PLANNING DEPARTMENT

1212 Logan Avenue, Suite 102 - Belvidere, Illinois 61008 PH (815) 547-4770 FAX (815) 547-3579

June 3, 2016

## ADVISORY REPORT

**CASE NO.:** 10-2016

**APPLICANT:** Diveley (420 Talladega Drive SW)

### REQUEST AND LOCATION:

The applicant, Alysia Diveley, 420 Talladega Drive SW, Poplar Grove, Illinois 61065, on behalf of the owners Richard G and Alysia A Diveley, 420 Talladega Drive SW, Poplar Grove, Illinois 61065, is requesting a zoning variance to decrease the required rear setback from 35 feet to 20 feet to construct a deck at 420 Talladega Drive SW, Poplar Grove, Illinois 61065, in the R-1 Single Family Residential District (Boone County Zoning Ordinance Section 3.5.4.A. Lot Development Standards – Residential Uses and Section 2.8 Variances) in Poplar Grove Township (PIN: 03-27-452-016). The property is legally described as:

UNIT 4 LOT 46 CANDLEWICK LAKE 420 TALLADEGA DR SW NW47.96, N147.39, SE161.15, SW146.75, as recorded in the Recorder's Office in Boone County, Illinois; situated in Boone County, Illinois (PIN: 03-27-452-016).

### EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:

**Subject property:** Single Family Residential

**Adjacent properties:**

**North and South:** Residential

**East and West:** Residential and Agricultural/row crop production

### CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:

**Subject property:** R1 – Single Family Residential

**Adjacent properties:**

**North:** R1 – Single Family Residential

**South, East and West:** R1 – Single Family Residential and A-1 Agriculture District

### COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:

**Subject property:** Single Family Residential

**North:** Single Family Residential

**South, East and West:** Single Family Residential, Exurban Residential

### BACKGROUND:

The subject property is located on Talladega Drive SW in Poplar Grove Township, west central Boone County. The subject parcel (03-27-452-016) is owned by Richard G and Alysia A Diveley. The applicant is requesting a zoning variance to decrease the required rear setback from 35 feet to 20 feet to construct a deck at 420 Talladega Drive SW, Poplar Grove, Illinois 61065, in the R-1 Single Family Residential District (Boone County

Zoning Ordinance Section 3.5.4.A. Lot Development Standards – Residential Uses and Section 2.8 Variances) in Poplar Grove Township (PIN: 03-27-452-016). The applicant proposes to build a 15'x15' deck with a staircase that extends 11" (11 inches) beyond the depth of the deck.

**OTHER PLANNING CONSIDERATIONS:**

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

The Boone County Engineer Richard A. Lundin reviewed the application and stated that he has no comments on this zoning variance since it is located within a private community.

The Boone County Building Department (Drew Bliss, Senior Building Inspector) reviewed the application and stated that 1) the office has no objections to the variance request; and 2) that the applicant will require a building permit if the case is approved.

The Boone County Health Department (Bill Hatfield) reviewed the application and stated that the zoning issue in Candlewick is not public health related and the department has no position on it.

**TREND OF DEVELOPMENT:**

The subject property is located in Candlewick Lake. The entire subdivision is zoned R-1 Single Family Residential District.

**COMPREHENSIVE PLAN:**

The subject property is designated as "Single Family Residential" by the Boone County Comprehensive plan adopted November 10, 1999. This map category encourages sewered single-family residential development at densities up to 5 dwelling units per acre.

**FINDINGS OF FACT:**

According to Section 2.8.5 of the Boone County Zoning Ordinance, a zoning variance shall not be granted unless the County Board finds the following facts:

1. **Required:** The particular physical surroundings, shape, topographical, or other on-site condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were carried out.

**Finding:** The subject property is situated on a cul-de-sac. The front lot line curves inward significantly from north to south, which required the home to be situated farther east on the parcel than the rectangular parcels surrounding the property. This has resulted in a significantly smaller rear yard at the subject property, leading to the request for variance.

2. **Required:** The conditions upon which the petition for a variation is based would not be applicable, generally, to other property within the same zoning classification.

**Finding:** The shape of the parcel, with the significant front lot line inward curve from north to south, is not applicable, generally, to other property within the same zoning classification.

3. **Required:** The purpose of the variation is not based exclusively upon a desire to make more money out of the property.

**Finding:** The owner is seeking the variance in order to build a rear deck, which is a common amenity at other properties in the neighborhood, as evidenced by aerial photography of the Candlewick Lake subdivision.

4. **Required:** The owner of the property has not created the alleged difficulty or hardship.

**Finding:** The lot was subdivided and lot lines determined prior to the Diveleys' ownership of the property.

5. **Required:** The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

**Finding:** The variation and subsequent use of the property are in keeping with the current use of the subject property and surrounding properties and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

6. **Required:** The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood or adversely affect the health, morals, or general welfare of the public.

**Finding:** The proposed variation and planned use as proposed by the owner will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood or adversely affect the health, morals, or general welfare of the public. The addition of a rear deck is incidental to the current use as a single family residence.

7. **Required:** That the potential public benefits of the variation outweigh any potential adverse impacts of the variation after taking into consideration the applicant's proposal and any requirement recommended by the applicant to ameliorate such impacts.

**Finding:** The granting of this variance has no foreseeable adverse impacts. It will result in the construction of a rear deck in keeping with similar decks throughout the neighborhood.

**SUMMARY OF FINDINGS:**

**10-2016 – Diveley (420 Talledega Drive SW)**

The Diveleys' property is of irregular shape. This shape has necessitated the building of the dwelling structure farther back on the parcel than on neighboring properties, reducing the depth of the rear yard. Granting this variance request will alleviate this particular hardship with no anticipated adverse public impacts.

**RECOMMENDATION:**

Planning staff recommends the approval of case number 10-2016 because it meets the requirements of Section 2.8.5 of the Boone County Zoning Ordinance, which state that a zoning variance shall not be granted unless the County Board finds facts in the seven categories listed above.

**Submitted by:**

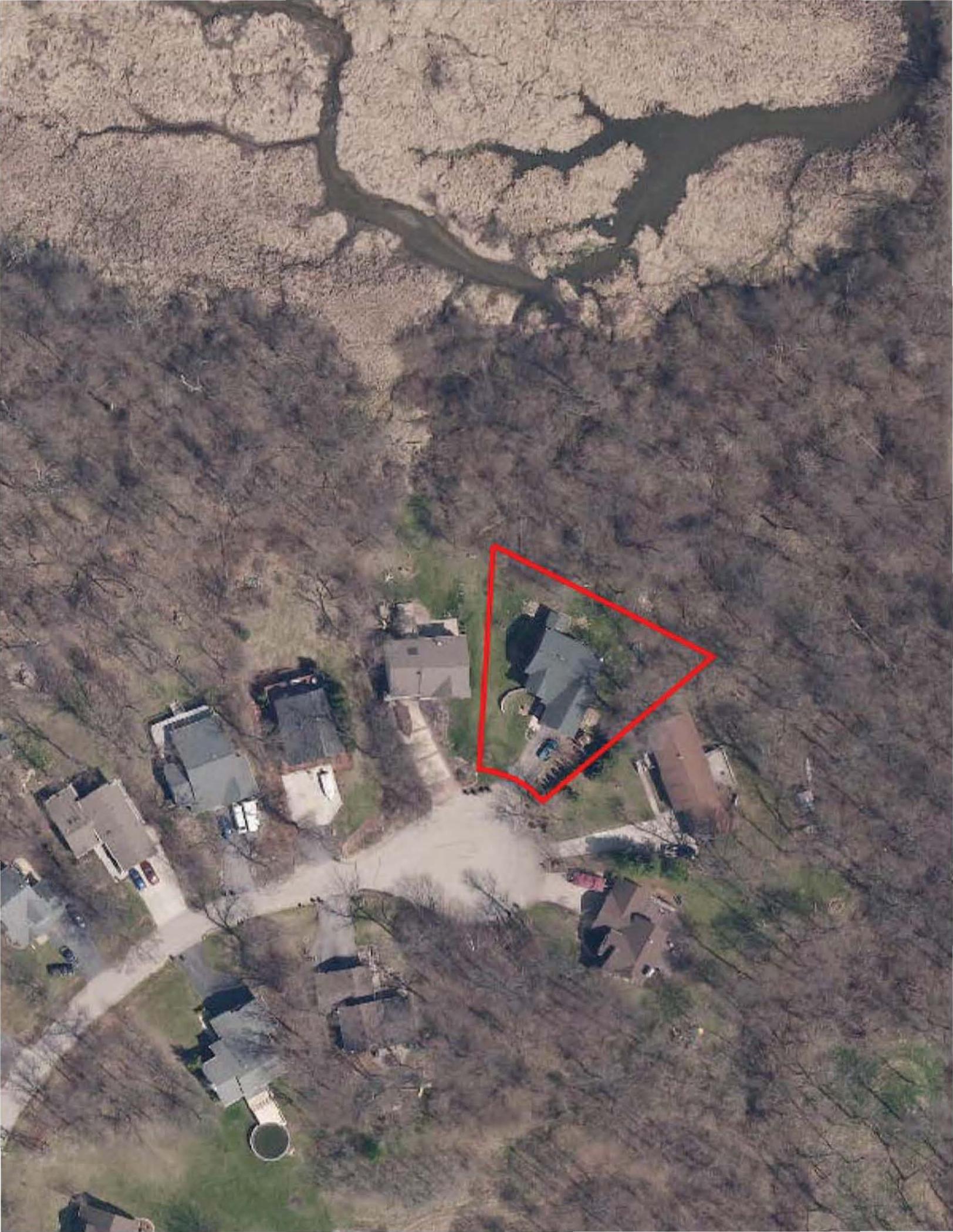


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Shelly R. Griswold, AICP  
Interim Planner

**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 variance 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.



APPLICATION FOR VARIANCE

BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT

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

FOR OFFICE USE ONLY

Case Number 10-2016  
Filing Date 5-25-16  
Zone District R-1

Belvidere  
PZC Date \_\_\_\_\_

Boone County  
ZBA Date 6-28-16

PLEASE PRINT IN BLACK INK OR TYPE

1) The address or general location of the property for which this application is filed is:

420 Talladega Dr SW Poplar Grove, IL 61065

and its Parcel Identification Number is: 03-27-452-016

and the legal description for the subject property is: Lot \_\_\_\_\_, Block \_\_\_\_\_,  
Tract \_\_\_\_\_, Subdivision Name \_\_\_\_\_

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

2) Applicant Name: Richard G & Alysia A Diveley

Mailing Address: 420 Talladega Dr SW  
Poplar Grove, IL 61065

Daytime Phone: 815-505-4116 Fax: \_\_\_\_\_ Zip: 61065 Email: chingmei313@yahoo.com

3) Property Owner Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Zip: \_\_\_\_\_

4) Attorney Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Zip: \_\_\_\_\_

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

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Zip: \_\_\_\_\_

Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_



8) Describe how this variation is the minimum variation that will make possible the reasonable use of the land, structure, or buildings in question. AD

Due to the property being in a cul-de-sac, the lot is wedge-shaped,  
This required the dwelling to be set back farther from the front lot  
than would have otherwise been necessary on a standard rectangular lot.

9) What characteristics of your property prevent it from being used in a reasonable manner?

Too narrow \_\_\_\_\_ Elevation \_\_\_\_\_ Soil \_\_\_\_\_  
Too small \_\_\_\_\_ Slope \_\_\_\_\_ Subsurface \_\_\_\_\_  
Too shallow \_\_\_\_\_ Shape wedge-shape Other \_\_\_\_\_

10) Describe the items checked, giving dimensions where appropriate and how the characteristics are different than other properties in the district. AD

The front property line is just 47.96'. The rear property line is  
161.15'

11) In what way do the above site conditions prevent any reasonable use, commonly enjoyed by owners of other properties in the same zoning district? AD

The dwelling sits farther back on the lot than would have otherwise  
been necessary on a standard rectangular lot.

12) To the best of your knowledge, can you affirm that the hardship described above was not created by an action of anyone having an interest in the property after the Zoning Ordinance or applicable part thereof became law? Yes  No  If "No", explain why the hardship should not be regarded as self-imposed (self-imposed hardships are not entitled to variations).

13) Are the conditions on your property the result of other manmade changes, such as the relocation of a road or highway? If so, describe.

No

14) Will granting the variation requested give the applicant any special privilege that is denied by the Zoning Ordinance to owners of other lands, structures, or buildings in the same district? Explain your answer.

No

AD

15) Specify how the granting of the variation requested will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

The proposed deck is in keeping with the residential character of the neighborhood and will be similar to others in the area.

16) 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 located 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
0327 452015	Carl + Jean Benessi	422 Talladega Dr SW	Poplar Cove	61065
0327 451026	Marcin Buda	418 Talladega Pr SW	""	""
0327 452014	Keith + Sarah Kazlowski	421 Talladega Pr SW	""	""
0327 452013	Hubert + Alice Kay	210 W. 2nd St	Belvidere	61009
0327 451039	Cunellevick Lake Assoc.	13400 JL Rte. 76	Poplar Cove	61065

**17) SUPPORTING INFORMATION:** Attach a site plan drawn to scale showing lot dimensions, the size and locations of existing buildings, the locations and dimensions of proposed buildings or alterations, and any natural or topographic peculiarities of the property in question.

Also include a detailed written statement relative to the above listed requirements, fully explaining your proposal and any measures to mitigate negative affects of your proposal on neighboring properties.

Incomplete applications will be returned to the applicant after sixty (60) days.

**Natural Resources Information:** Pursuant to state law, a copy of this completed application must be provided to the Boone County Soil and Water Conservation District (SWCD). They are located at 211 N. Appleton Road, P.O. Box 218, Belvidere, and may be contacted at (815) 544-2677. Their business hours are Monday through Friday 8:00 a.m. to 4:30 p.m. An application fee is required. The SWCD has thirty (30) days to respond and provide their Natural Resource Information (NRI) Report to the Planning Office. **The SWCD must send a report to the Planning Department for your application to proceed.**

**DECLARATION**

I, the applicant, of the above legally described property on which the variance is proposed, have provided answers to the questions herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a variance on said property.

By virtue of my application for a variance, I do hereby declare that the appropriate appointed and elected officials who are responsible for the review of my application are given permission to visit and inspect the property proposed for variance in order to determine the suitability of the request.

Applicant Signature: [Signature] Date Signed: 5-25-16

Owner(s) Signature: [Signature] Date Signed: 5-25-16  
Date Signed: \_\_\_\_\_

STAFF SIGNATURE: [Signature] Date Signed: 5-25-16

Filing Fee - Amount Paid: \$350.00 Check Number: 1978

# Candlewick Lake Association, Inc.

13400 Highway 76 • Poplar Grove, IL 61065

Phone:(815) 765-2827 Fax: (815) 765-2809

## APPLICATION FOR APPROVAL FOR MISCELLANEOUS CONSTRUCTION

This application and plans showing construction and location must be submitted for ECC approval. Your signature on this application, is your agreement to build by the approved plans and in accordance with the rules and regulations of Candlewick Lake Association.

DATE OF APPLICATION 3-29-16 UNIT: 4 LOT: 46

PROPERTY OWNER: Rick & Alysia Dineley

ADDRESS: 420 Talladega Drive

HOME PHONE: (815) 765-1953 BUSINESS PHONE: (815) 608-4610

TYPE OF CONSTRUCTION: (Check One)

- |   |  |  |   |
|---|--|--|---|
| <input type="checkbox"/> BOAT LIFT          | <input type="checkbox"/> DRIVEWAY          | <input type="checkbox"/> POOL  | <input type="checkbox"/> SHORELINE WORK |
| <input checked="" type="checkbox"/> CULVERT | <input type="checkbox"/> EXTERIOR LIGHTING | <input type="checkbox"/> REFUSE ENCLOSURE                                    | <input type="checkbox"/> SUNROOM        |
| <input checked="" type="checkbox"/> DECK    | <input type="checkbox"/> GARAGE            | <input type="checkbox"/> REMODELING  | <input type="checkbox"/> 3 SEASON ROOM  |
| <input type="checkbox"/> DITCH WORK         | <input type="checkbox"/> GAZEBO            | <input type="checkbox"/> SATELLITE DISH                                      | <input type="checkbox"/> OTHER _____    |
| <input type="checkbox"/> DOCK               | <input type="checkbox"/> PIER              | <input type="checkbox"/> SHED ** Shed attachment form<br>must be included ** |   |
| <input type="checkbox"/> DOG RUN            | <input type="checkbox"/> PLAYHOUSE         |  |   |

CONTRACTOR NAME (IF ANY) Rock County Fence & Deck

ADDRESS: 3245 Riverside Drive CITY, STATE, ZIP Beloit WI

PHONE: (608) 365-5022

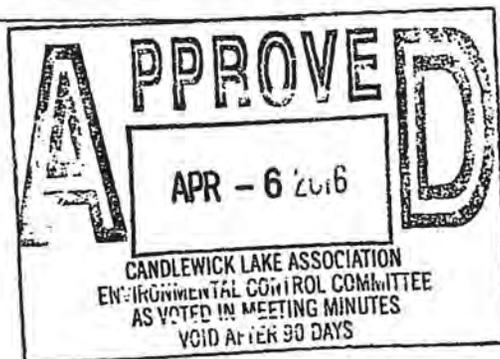
Rich Dineley  
SIGNATURE OF PROPERTY OWNER

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### FOR ECC USE ONLY

DATE CONSTRUCTION REJECTED \_\_\_\_\_  
REASON FOR REJECTION \_\_\_\_\_

E.C.C. STAMP OF APPROVAL:



County variance must be granted before the cut permit is issued

CANDLEWICK LAKE ASSOCIATION  
13400 HIGHWAY 76  
POPLAR GROVE, IL 61065

TEL: 815-765-2827  
FAX: 815-765-2809

### VARIANCE APPLICATION

Date of Application 3-29-16

Unit 4 Lot 46 Address 420 Talladega Drive

Property Owner Name Rick & Alysia Diveley

Address 420 Talladega Drive

City Poplar Grove State IL Zip 61065

Phone (home) (815) 765-1953 (business) (815) 608-4610

Lot Dimensions (front) 46.69' (back) 161.15' (left) 147.39' (right) 146.75'

Type of Construction Deck

Location of Variance rear of house

Explanation of requested variance Build a 12x15 deck over rear yard setback line. House sits on rear setback line.

(use reverse side for additional information)

\*\*\*\*\*

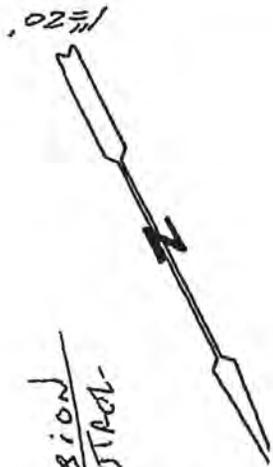
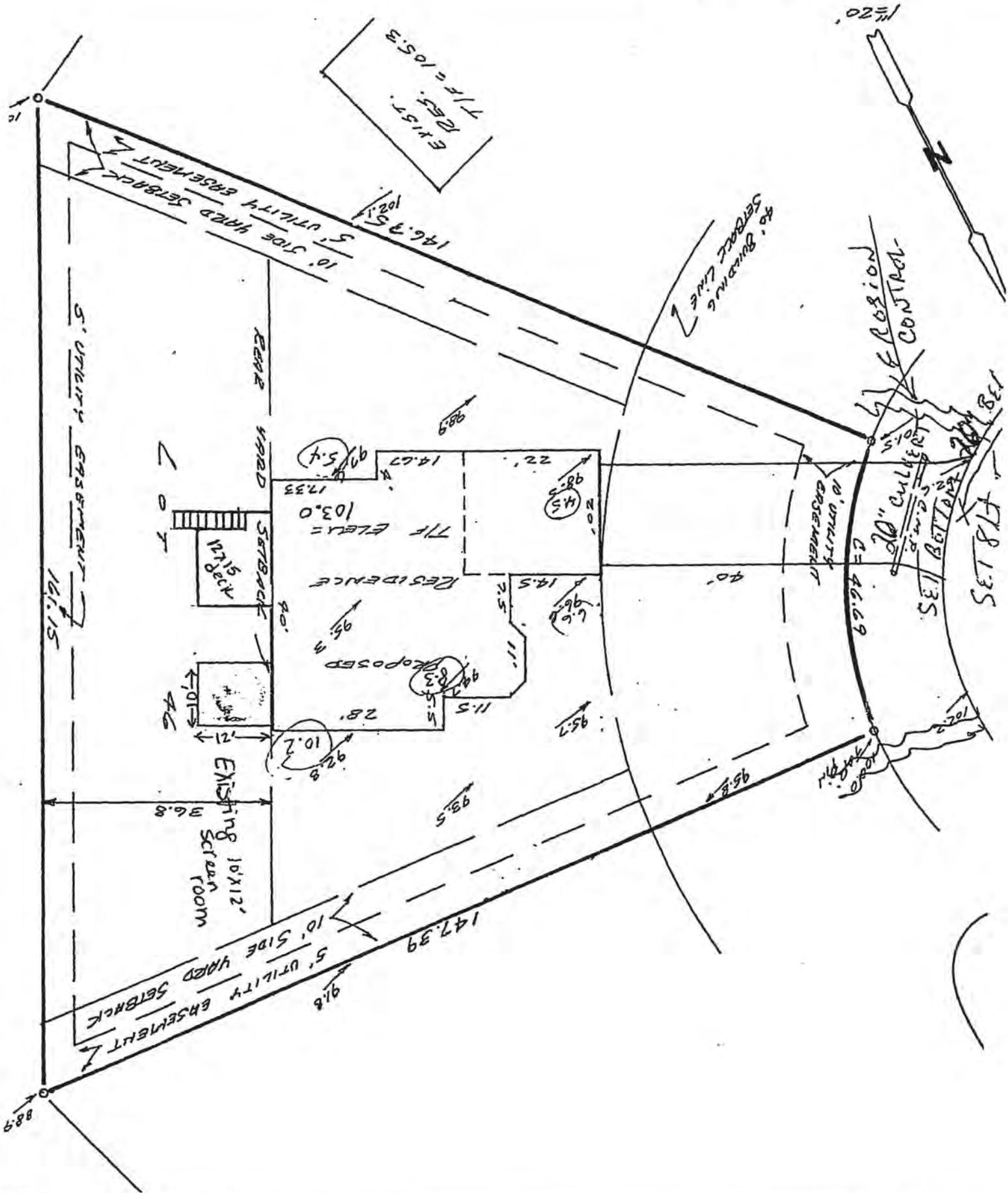
ECC Use Only

Variance Hearing Date \_\_\_\_\_

Variance Results \_\_\_\_\_



0- IRON PINS FOUND



90' Boundary  
Setback Line

10' UTILITY EASEMENT

SET 1.35

SET 1.35

SET 1.35

SET 1.35

10' UTILITY EASEMENT

May 25, 2016

Boone County Planning Department  
401 Whitney Blvd Suite 400  
Belvidere IL 61008

Dear Sir:

I would like to request for a zoning variance for the property at 420 Talladga Drive SW, Poplar Grove Township.

The reason for my request of zoning variance is to install a deck at the required rear yard setback, 420 Talladga Drive SW, Poplar Grove Township.

Thank you for your consideration in this request.

Rick and Alysia Diveley

This deck will be replacing a balcony that is attached on the second level to sliding doors. This balcony is falling apart and needs to be replaced. We would like to replace it with a deck that include stairs to the lower level. ~~There is~~ This will give us a exit to the rear of the house otherwise we would have to go out the front of the house and around to the back or go downstairs to the basement to get to the back of the house.



Illustration intended to show general deck size and shape. Some Options selected may not be shown for picture clarity.

**Estimated Price:**

**\$2,410.51**

\*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

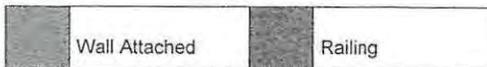
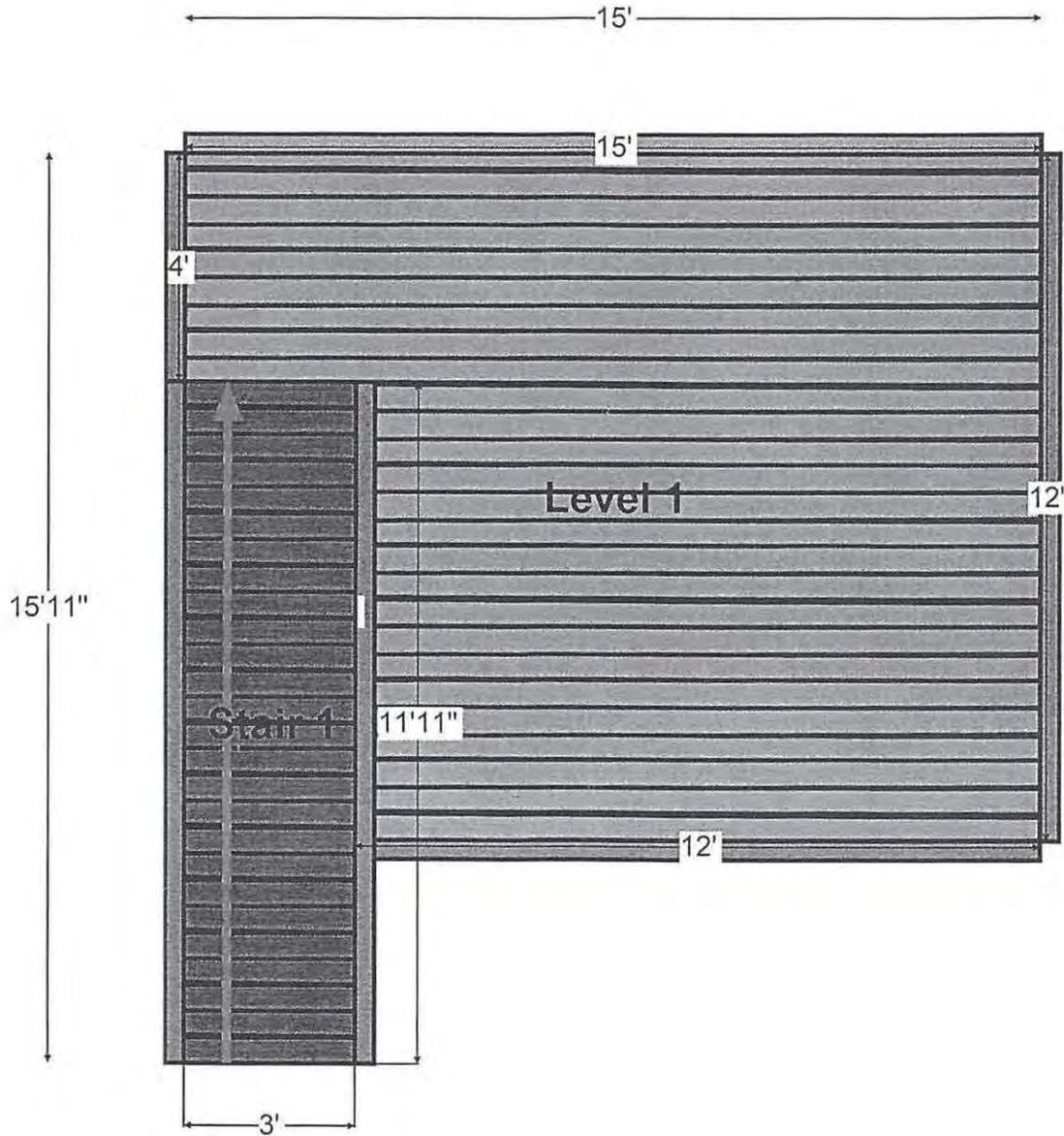
**Base Price:**

**\$1,150.17**

\*\*The base price includes: 40 PSF deck live load, AC2 5/4x6 deck boards in horizontal direction, AC2 4x4 framing posts, precast concrete (1 bag) footing, AC2 joists and beams with two feet cantilever, galvanized framing fasteners and joists hangers, and premium deck board screws.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF THE WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS.



**Estimated Price:**

**\$2,410.51**

\*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

**Base Price:**

**\$1,150.17**

\*\*The base price includes: 40 PSF deck live load, AC2 5/4x6 deck boards in horizontal direction, AC2 4x4 framing posts, precast concrete (1 bag) footing, AC2 joists and beams with two feet cantilever, galvanized framing fasteners and joists hangers, and premium deck board screws.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

## Level Information

Level 1 - 15' 0" Length X 12' 0" Width X 8' 0" Height, Standard Deck, 40 PSF Load Rating, Horizontal Decking Direction, 16" Joist Spacing

## Framing Information

6X6 AC2 Framing Posts  
null Footing  
2X8 AC2 Joists  
2X10 AC2 Beams  
Solid Placement for Beam Positioning on Framing Posts  
Beam and Joist Cantilever - 2 Feet



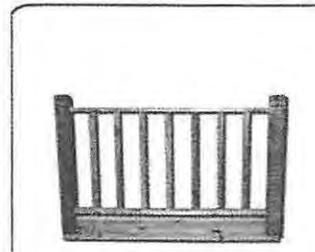
## Deck Board Information

5/4X6 Cedar  
Square Drive 2 1/2" Premium Gold Screws  
No Cladding



## Railing Information

Cedar Railing Type  
36" Shaped Horizontal Handrail  
2X2X36 Square End Spindles  
4X4X48 Chamfer Post Railing Post, Joist Mounted  
2X4 Cedar Hand Rail



## Other Material Information

Galvanized Joist Hangers  
Galvanized Framing Fasteners



## Estimated Price:

**\$2,410.51**

\*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

## Base Price:

**\$1,150.17**

\*\*The base price includes: 40 PSF deck live load, AC2 5/4x6 deck boards in horizontal direction, AC2 4x4 framing posts, precast concrete (1 bag) footing, AC2 joists and beams with two feet cantilever, galvanized framing fasteners and joists hangers, and premium deck board screws.

Final design should be performed by a registered professional engineer to ensure all applicable building codes and regulations are met.

 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

June 6, 2016

**SWCD NRI #: 1499**

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:** 420 Talladega Dr. SW Poplar Grove, IL 61065

**PIN(S): 03-27-452-016**

**Contact:**

Richard and Alysia Diveley  
Phone: 815-505-4118  
E-mail: chlngme1313@yahoo.com

**Petitioner:**

Richard and Alysia Diveley  
Phone: 815-505-4118  
E-mail: chlngme1313@yahoo.com

**Owner:**

Richard and Alysia Diveley  
Phone: 815-505-4118  
E-mail: chlngme1313@yahoo.com

**Request:** Variance for deck

Sincerely,



Jennifer Becker  
Boone County Soil & Water  
Conservation District

CC: Alysia Diveley



## 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](mailto:boonecohwy@comcast.net)

June 9, 2016

MR. Ken Terrinoni, County Administrator  
1212 Logan Avenue, Suite 102  
Belvidere, IL 61008

RE: Case 10-2016; Diveley

Dear Mr. Terrinoni,

I have no comments on this zoning variance since it is located within a private community.

A handwritten signature in cursive script, appearing to read "Richard Lundin".

Richard Lundin  
Boone County Engineer

**BOONE COUNTY  
BUILDING DEPARTMENT**

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

June 15, 2016

To: Ken Terrinoni  
County Administrator

From: Drew Bliss  
Senior Building Inspector

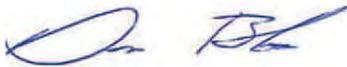
RE: 10-2016 – Diveley Zoning Variance (420 Talladega Drive SW)

Dear Mr. Terrinoni,

Our office has no objections to the variance request. Please notify the applicant 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,

A handwritten signature in blue ink, appearing to read "Drew Bliss".

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](http://www.boonehealth.org)

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

June 15, 2016

Ken Terrinoni  
Boone County Planning Dept.  
1212 Logan Ave.  
Belvidere, IL 61008  
Fax 815-547-3579

Re: 10-2016- Diveley Zoning Variance (420 Talladega Drive SW)

Dear Ken,

We are in receipt of the zoning variance request for the above referenced case.

The zoning issue in Candlewick is not public health related and the department has no position on it.

Thank you,

William L. Hatfield  
Director of Environmental Health  
skm

# BOONE COUNTY PLANNING DEPARTMENT

1212 Logan Avenue, Suite 102 - Belvidere, Illinois 61008 PH (815) 547-4770 FAX (815) 547-3579

June 6, 2016

## ADVISORY REPORT

**CASE NO.:** 11-2016

**APPLICANT:** Perry (15917 Capron Road, Capron)

### REQUEST AND LOCATION:

The applicant, Kevin Perry and April Perry, 3540 Partridge Lane, Belvidere, Illinois 61008, is requesting a Special Use Permit to add relative living quarters with a separate primary entrance and substantially separate living quarters under Sub-section 4.11.3 (Permitted districts) of Section 4.11 (Accessory Relative Living Quarters) of the Boone County Zoning Ordinance. The subject property is located at 15917 Capron Road, Capron, Illinois 61062, in unincorporated Boone Township on 7.57 acres. The property is legally described as:

N 250' OF W 1/2 NW 14-45-4 15917 CAPRON RD as recorded in the Recorder's Office in Boone County, Illinois; situated in Boone County, Illinois (PIN: 14-14-100-012).

### EXISTING LAND USE FOR SUBJECT AND ADJACENT PROPERTIES:

**Subject property:** Single Family Residential and Agriculture

**Adjacent properties:**

**North, South, East and West:** Agriculture

### CURRENT ZONING FOR SUBJECT AND ADJACENT PROPERTIES:

**Subject property:** A1 – Agriculture Preservation District

**Adjacent properties:**

**North, South, East and West:** A1 – Agriculture Preservation District

### COMPREHENSIVE PLAN FOR SUBJECT AND ADJACENT PROPERTIES:

**Subject property:** Single Family (<5du/acre)

**North:** Single Family; Traditional Neighborhood

**South:** Single Family

**East:** Single Family; Planned Neighborhood

**West:** Single Family

### BACKGROUND:

The subject property is located on Capron Road in unincorporated Boone Township, Boone County. The subject parcel (159) is owned by Kevin Perry and April Perry. The applicant is requesting a Special Use Permit to add relative living quarters under Sub-section 4.11.3 (Permitted districts) of Section 4.11 (Accessory Relative Living Quarters) of the Boone County Zoning Ordinance. The applicant proposes to build accessory relative living quarters with a separate primary residence.

**OTHER PLANNING CONSIDERATIONS:**

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

The Boone County Engineer Richard A. Lundin reviewed the application and stated that there are not access issues and no drainage issues that are foreseeable. There was no objection to the approval of the special use permit.

The Boone County Building Department (Drew Bliss, Senior Building Inspector) reviewed the application and stated that 1) the office has no objections to the variance request; and 2) that the applicant will require a building permit if the case is approved.

The Boone County Health Department (Bill Hatfield) reviewed the application and stated that the Health Department has already performed the first step to determine the correct sizing to the septic system for the addition.

**TREND OF DEVELOPMENT:**

The subject property is located in unincorporated Boone Township, Boone County, Illinois. The subject property and surrounding properties are all zoned A-1 Agriculture Preservation District. However, the Comprehensive Plan's Planned Land Use Map indicates single family residential, planned neighborhood, and residential neighborhood for the area.

**COMPREHENSIVE PLAN:**

The subject property is designated as "Single Family Residential" by the Boone County Comprehensive Plan. This map category encourages sewered single-family residential development at densities up to 5 dwelling units per acre.

**FINDINGS OF FACT:**

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

1. **Required:** The proposed structure or use at the particular location requested is 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.

**Finding:** The proposed use with regards to the separate entrance is in the interest of the general public to contribute to the safety (in the event of fire or other emergency) of the individuals and general public because it provides a quick and safe exit.

2. **Required:** 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.

**Finding:** The character of the neighborhood will not be affected because the separate entrance will be done tastefully in design and will blend into the exterior design features of the home. No traffic conditions, utility facilities or other matters affecting the public health, safety and/or general welfare will be adversely affected by the separate entrance.

**11-2016 (Perry – 15917 Capron Road, Capron IL)**

3. **Required:** 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.

**Finding:** The applicant will cooperate with the Planning Department to ensure that the design and operation of the structure will comport with the development and use of the area in accordance with applicable district regulations.

4. **Required:** Such other standards and criteria as are established by the ordinance for a 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.

**Finding:** No special conditions recommended by the Planning Department.

5. **Required:** That 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.

**Finding:** See finding #2. Planning department makes no recommendations for modifications to other regulations.

6. **Required:** That 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.

**Finding:** Given the applicant's goal(s) of caring for her elderly and disabled family members, it is applicant's belief that any potential adverse impacts are outweighed by the benefits.

**SUMMARY OF FINDINGS:**

The Perry's are proposing a mother-in-law quarters that allows Mrs. Perry's mother to age in place. The additional square footage allows for a more open floor plan to accommodate the potential future need of a wheelchair, with handicap-rated door widths. The additional space will also accommodate brother with disabilities, who visits frequently on the weekends as well as partially blind grandfather, both of whom have a primary residence elsewhere. The separate entrance will allow for additional safety in the event of a fire for an elderly and/or disabled individual to quickly and safely exit. The addition will tie into the existing dining room as well as share a community mudroom, living area, and garage.

**RECOMMENDATION:**

Planning staff recommends the approval of case number 11-2016 because it meets the requirements of Section 2.7.3 of the Boone County Zoning Ordinance, which state that a Special Use Permit shall not be granted unless the County Board finds facts in the six categories listed above.

**Submitted by:**

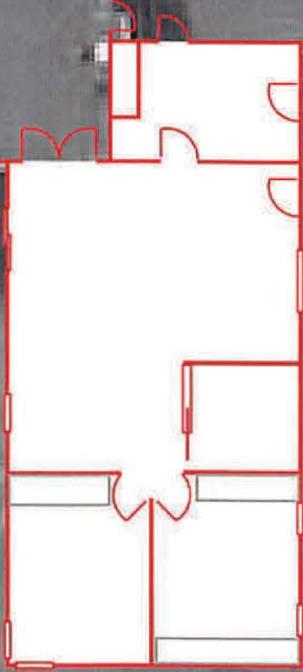


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Shelly R. Griswold, AICP  
Interim Planner



SEPTIC TANK



## Shelly Griswold

---

**From:** Natalie Hyser <natalie@tobinramon.com>  
**Sent:** Monday, June 06, 2016 9:52 AM  
**To:** Shelly Griswold; Natalie Hyser; aprilperry80@yahoo.com  
**Subject:** New Drawing

Hi Shelly,  
Please see attached/below.

Natalie

Begin forwarded message:

**From:** "April Perry" <[aprilperry80@yahoo.com](mailto:aprilperry80@yahoo.com)>  
**To:** "Natalie Hyser" <[natalie@tobinramon.com](mailto:natalie@tobinramon.com)>  
**Subject: Re: Variance**

No variance, see attached.

April

On Friday, June 3, 2016 8:43 PM, Natalie Hyser <[natalie@tobinramon.com](mailto:natalie@tobinramon.com)> wrote:

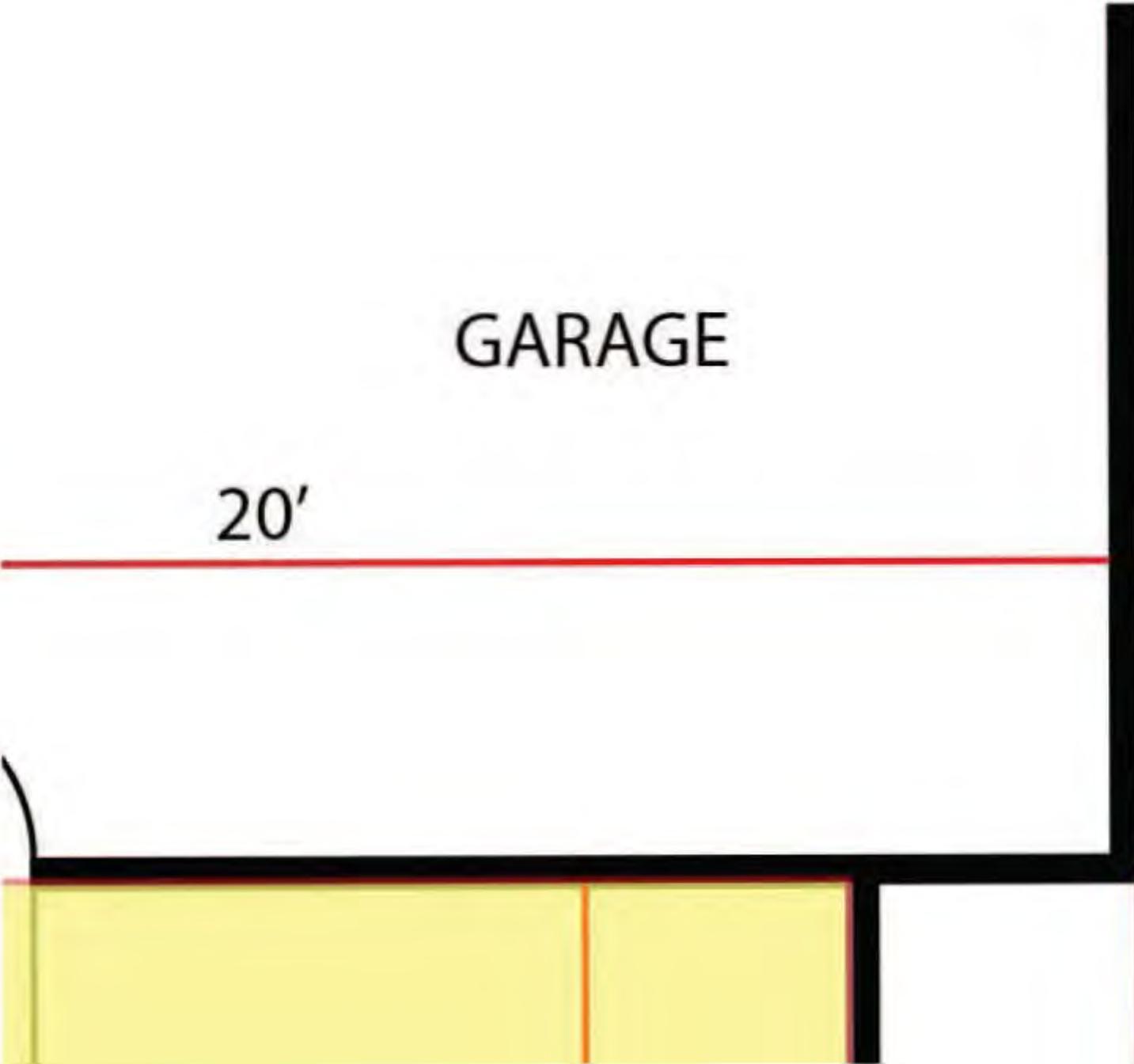
No variance, then?

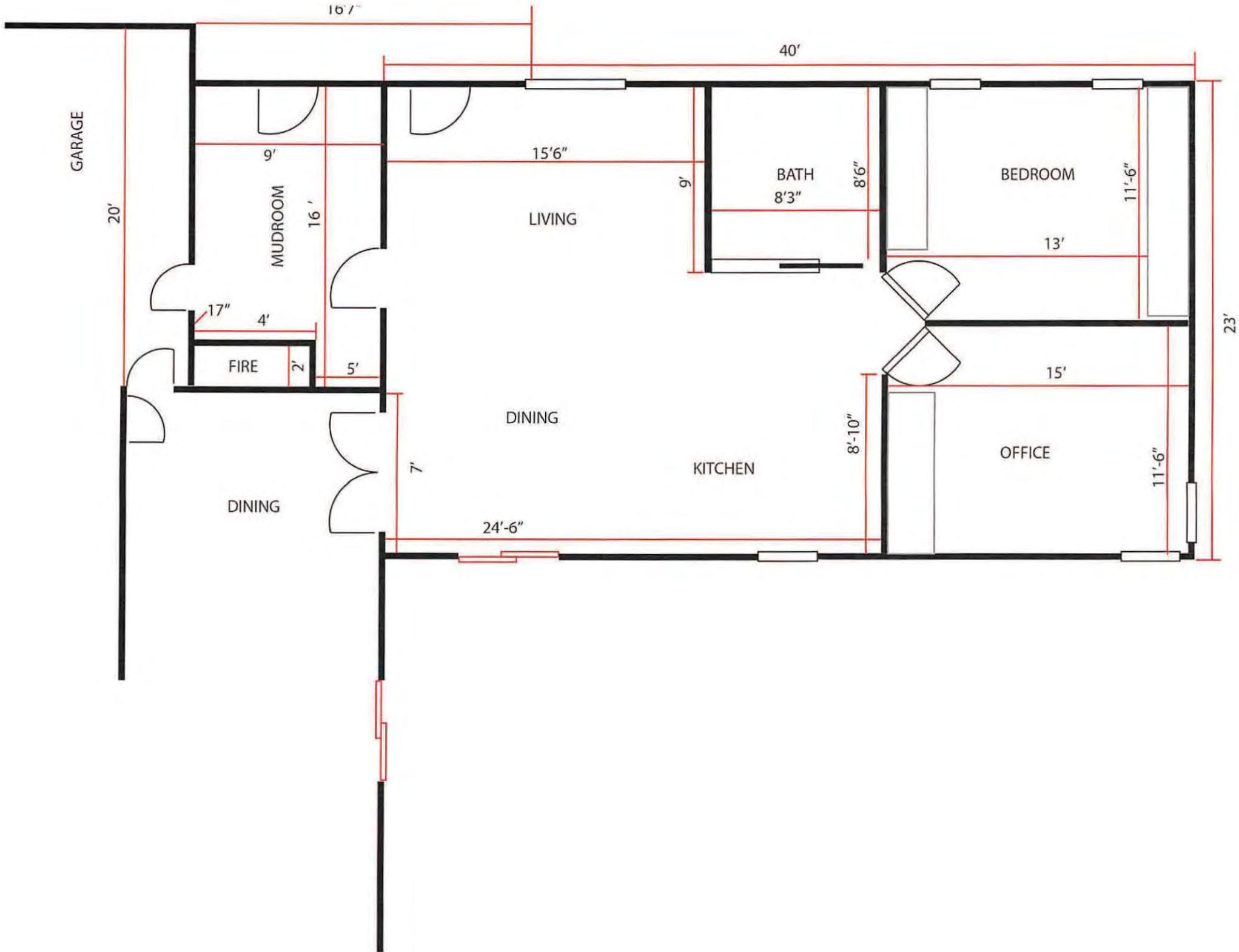
Natalie

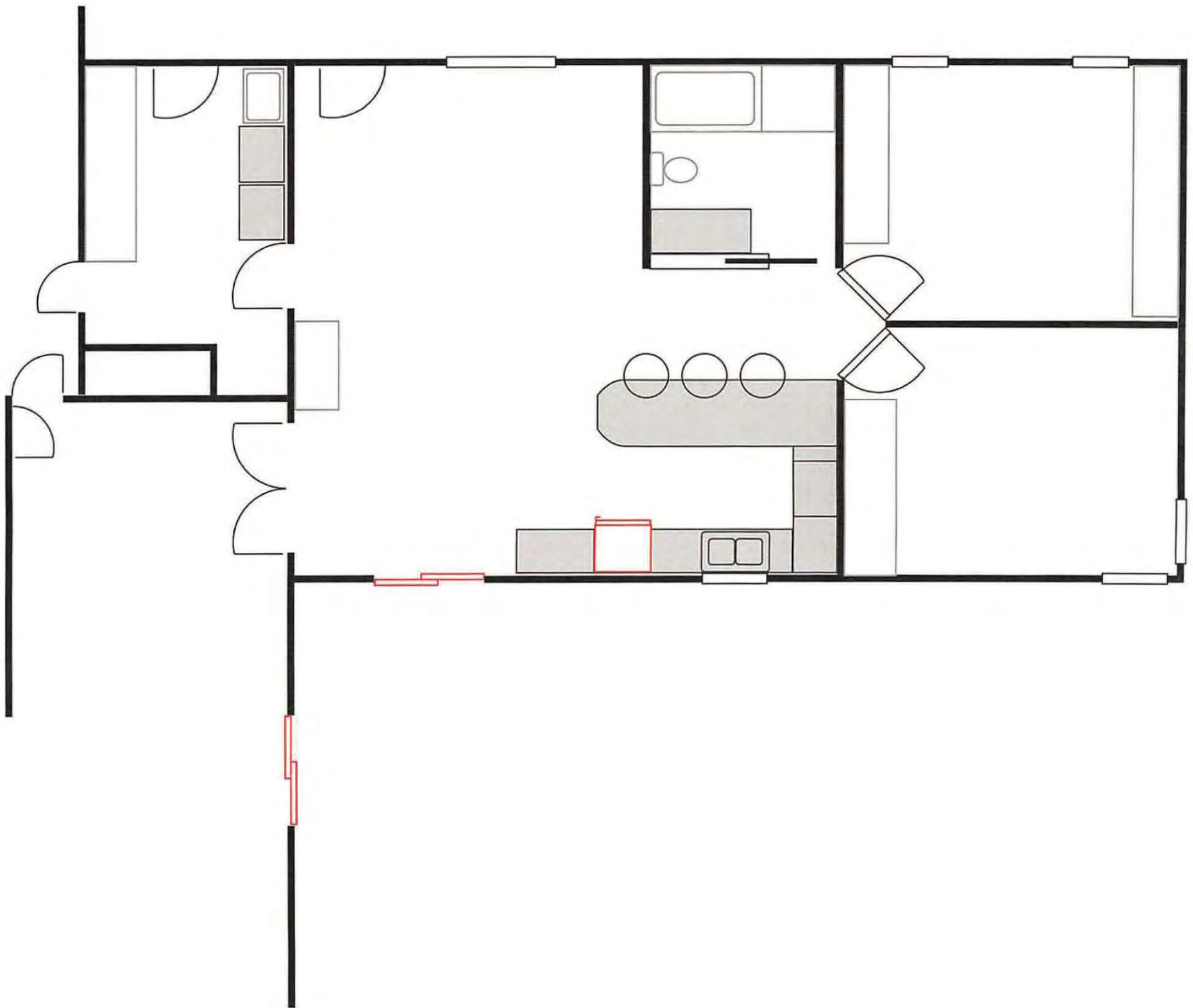
GARAGE

20'

2







**APPLICATION FOR SPECIAL USE**

**BELVIDERE - BOONE COUNTY PLANNING DEPARTMENT**

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

<b>FOR OFFICE USE ONLY</b>	<b>Belvidere</b>	<b>Boone County</b>
Case Number <u>11-2014</u>	PZC Date _____	ZBA Date <u>6/28/16</u>
Filing Date <u>5-25-16</u>	CC Date _____	PZB Date <u>7/6/16</u>
Zone District <u>A-1</u>	CC Date _____	CB Date <u>7/20/16</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:  
15917 Capron Road, Capron, IL 61012

\_\_\_\_\_ and its

Parcel Identification Number is: 04-14-100-012

and the legal description for the subject property is: Lot \_\_\_\_\_ Block \_\_\_\_\_

Tract \_\_\_\_\_ Subdivision Name \_\_\_\_\_

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

- 2) **Applicant Name:** Kevin Perry and April Perry

Mailing Address: 3540 Partridge Lane  
Belvidere, IL 61008

Daytime Phone: 815-975-0891 Fax: \_\_\_\_\_ Email: aprilperry80@yahoo.com

- 3) **Property Owner Name:** Lisa Hensley

Mailing Address: 15917 Capron Road, Capron, IL 61012

Daytime Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

- 4) **Attorney Name:** Natalie Hyser Barber, Tobin & Ramon

Mailing Address: 530 South State Street, #200  
Belvidere, IL 61008

Daytime Phone: (815) 544-0316 Fax: (815) 544-4398 Email: natalie@tobinramon.com

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

Name: Natalie Hyser Barber

Mailing Address: 530 South State Street, Suite 200  
Belvidere, IL 61008

Daytime Phone: 815-544-0316 Fax: 815-544-4398 Email: natalie@tobinramon.com

6) Describe the current use of the subject property: residential

7) List the Special Use, as specified within the appendix of the Zoning Ordinance, that you are seeking the approval of and describe the proposed use of the subject property in detail:  
Accessory Relative Living Quarters Section 4.11 with separate primary residence (in compliance with Section 2.7)

8) Total number of acres the Special Use will occupy: 7.57 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 located 250 feet from the perimeter 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
04-14-100-013	Northwest Nat'l Bank Tr. #10-084050-3 c/o Ed Simon	24741 El Toro Grande	El Tora, CA	92630
04-14-100-004	Delores R. Pajak Tr.	15751 Capron Road	Capron	61012
04-14-100-014	Fernando Revas and Profirio Rodriguez	10302 Wange Road	Capron	61012
04-11-300-011	Kenneth E. Book Trust Mimi L. Book Trust	22905 bunker Hill Road	Harvard	60033
04-11-300-007	Julie & Shirley A. Anderson	P. O. Box 302	Capron	61012
04-10-400-006	Robert & Sue Ann Park	10080 Anderson Rd. N.	Capron	61012
04-15-200-018	Michael J. Book Trust Jill Book Trust	2400 Maritime Lane	Woodstock	60098

**DECLARATION:**

I, the applicant, of the above legally described property on which the special use is proposed, has provided answers to the questions given herein that are true to the best of my knowledge. I have been granted permission by the property owner(s) of the above legally described property to apply for a special use on said property.

By virtue of my application for a special use, I do hereby declare that the appropriate appointed and elected officials responsible for the review of my application are given permission to visit and inspect the property proposed for a special use in order to determine the suitability of the request.

Applicant Signature:	<u>Natalie Bank</u>	Date Signed:	<u>5/24/16</u>
Owner(s) Signature:	<u>Natalie Bank</u>	Date Signed:	<u>5/24/16</u>
	<u>Attorney for Applicant/Owner</u>	Date Signed:	<u>5/24/16</u>
STAFF SIGNATURE:	<u>Justin M...</u>	Date Signed:	<u>5/25/16</u>
Filing Fee - Amount Paid:	<u>\$ 700.00</u>	Check Number:	<u>061056</u>

**FILING PROCEDURE**

- A. Submit this form and supporting information accompanied by an application fee (make checks payable to the **Boone County Treasurer**). See the attached fee schedule.
- B. Submit application and supporting information with fee to the Boone County Soil and Water Conservation District.
- C. Selection of newspaper publication. See the attached newspaper selection sheet.
- D. City of Belvidere Applicants must appear before the Belvidere Planning and Zoning Commission, Building, Planning and Zoning Committee and the Belvidere City Council.

Boone County Applicants must appear before the Boone County Regional Planning Commission, Boone County Zoning Board of Appeals, Planning, Zoning and Building Committee, and the Boone County Board. Boone County applicants must appear before the Joint Planning Commission rather than the County Commission if their property is located within 1.5 miles of Belvidere.

## **NARRATIVE**

### **Section 4.11**

Proposed Use: A mother in-law quarters that allows for her to age in place. The additional square footage allows for a more open floor plan, to accommodate the potential future need of a wheelchair, with handicap-rated door widths. The additional space will also accommodate brother with disabilities, who visits frequently on the weekends as well as partially blind grandfather, both of whom have a primary residence elsewhere. The separate entrance will allow for additional safety in the event of a fire for an elderly and or disabled individual to quickly and safely exit. The addition will tie into the existing dining room as well as share a community mudroom and garage.

### **Section 2.7.3**

The Proposed use with regards to the separate entrance is in the interest of the general public to contribute to the safety (in the event of fire or other emergency exit) of the individuals and general public because it provides a quick and safe exit. The character of the neighborhood will not be affected because the separate entrance will be done tastefully in design and will blend into the exterior design features of the home. No traffic conditions, utility facilities or other matters affecting the public health, safety and/or general welfare will be adversely affected by the separate entrance. The applicant will cooperate with the Planning Department to ensure that the design and operation of the structure will comport with the development and use of the area in accordance with applicable district regulations. Given the applicant's goal(s) of caring for her elderly and disabled family members, it is applicant's belief that any potential adverse impacts are outweighed by the benefits.

General Contractor: Archie Morey, 1009 Brentwood Rd, Machesney Park, IL 61115  
815-509-4975

See attachments.



## 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

June 21, 2016

Mr. Ken Terrinoni, County Administrator  
1212 Logan Avenue, Suite 102  
Belvidere, Illinois 61008

RE: Case 11-2016; Perry

Dear Mr. Terrinoni,

I have reviewed the special use request to add on a room to an existing house at 15917 Capron Road. There are no access issues and there are no drainage issues that are foreseeable.

I have no objection to the approval of this special use request.

Richard A. Lundin  
Boone County Engineer



**Boone County**  
DEPARTMENT OF  
**PUBLIC HEALTH**

1204 Logan Avenue • Belvidere, Illinois 61008

Main Office: 815-544-2951 • Clinic: 815-544-9730

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

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

June 15, 2016

Ken Terrinoni  
Boone County Planning Dept.  
1212 Logan Ave.  
Belvidere, IL 61008  
Fax 815-547-3579

Re: 11-2016- Perry Special Use Permit (15917 Capron Road)

Dear Ken,

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

We have already performed the first step to determine the correct sizing to the septic system for the addition.

Thank you,

William L. Hatfield  
Director of Environmental Health  
skm

**BOONE COUNTY  
BUILDING DEPARTMENT**

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

June 15, 2016

To: Ken Terrinoni  
County Administrator

From: Drew Bliss  
Senior Building Inspector

RE: 11-2016 – Perry Special Use Permit (15917 Capron Road)

Dear Mr. Terrinoni,

Our office has no objections to the variance request. Please notify the applicant 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,

A handwritten signature in blue ink, appearing to read 'Drew Bliss', is written over a horizontal line.

Drew Bliss  
Senior Building Inspector  
Boone County Building Department

 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

June 6, 2016

**SWCD NRI #: 1500**

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:** 15917 Capron Rd. Capron, IL 61012

**PIN(S): 04-14-100-012**

**Contact:**

Tobin & Ramon

Phone: 815-544-0316

E-Mail: Natalie@tobinramon.com

**Petitioner:**

Tobin & Ramon

Phone: 815-544-0316

E-Mail: Natalie@tobinramon.com

**Owner:**

Kevin and April Perry

Phone: 815-975-0891

**Request:** Special Use for relative living quarters with separate primary residence

Sincerely,



Jennifer Becker

Boone County Soil & Water

Conservation District

CC: Natalie Hyser Barber, Tobin & Ramon