

BOONE COUNTY ZONING BOARD OF APPEALS

MEETING

Wednesday, December 27, 2017

County Board Room

1212 Logan Avenue

Belvidere, IL 61008

ROLL CALL:

Members Present:
Brian Van Laar, Chairman
Tony Savino
Steve Schabacker
Joan Krumm

Staff Present:
Hilary Rottmann, Land Use
Planner
Drew Bliss, Senior Building
Inspector

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| NATHAN NOBLE..... | 10 |
| SCOTT ANDERSON..... | 20 |

1 P R O C E E D I N G S

2 December 27, 2017

3 CHAIRMAN VAN LAAR: Let's call the meeting
4 to order. Let's rise and pledge allegiance to the
5 flag and stay standing for the invocation.

6 (Whereupon, the Pledge of
7 Allegiance was recited and an
8 invocation given.)

9 CHAIRMAN VAN LAAR: Roll call.

10 MS. ROTTMANN: Schabacker?

11 MR. SCHABACKER: Here.

12 MS. ROTTMANN: Rhode?

13 (No response.)

14 MS. ROTTMANN: Krumm?

15 (No response.)

16 MS. ROTTMANN: Savino?

17 MR. SAVINO: Here.

18 MS. ROTTMANN: Van Laar?

19 CHAIRMAN VAN LAAR: Here. We have a
20 quorum. We may be heard.

21 Minutes. I trust that we have all had
22 some time to look over them, peruse through it. Do
23 you guys see anything that was that glaringly
24 obvious that might have been a mistake?

1 MR. SAVINO: Nothing that I said.

2 CHAIRMAN VAN LAAR: Anything that you'd
3 want to change?

4 MR. SAVINO: I'll make a motion to approve
5 the minutes.

6 CHAIRMAN VAN LAAR: Motion to approve the
7 minutes by Savino.

8 MR. SCHABACKER: Second.

9 CHAIRMAN VAN LAAR: Seconded by
10 Schabacker. Any discussion?

11 (No response.)

12 CHAIRMAN VAN LAAR: All those in favor say
13 aye.

14 (Whereupon, all the ayes were
15 heard.)

16 CHAIRMAN VAN LAAR: All those opposed?

17 (Whereupon, no nays were heard.)

18 CHAIRMAN VAN LAAR: Motion carries.

19 Minutes are approved.

20 Public comment. I see applicants in the
21 audience, so unless you guys want to state something
22 other than like Merry Christmas or something like
23 that or Happy New Year, other than what is on the
24 agenda, this is your time to do so. If there is

1 none, then we will move on.

2 (No response.)

3 CHAIRMAN VAN LAAR: Let's move on.

4 There's no unfinished business.

5 New business. We have three cases in
6 front of us. We have -- Boone County is coming as
7 an applicant requesting a text amendment. And then
8 we have an applicant, we have Aggregates, renewing
9 their special use. And then we have Scott Anderson
10 as an applicant requesting a variance. We have
11 three of them. Three cases before us tonight.

12 MR. SAVINO: Mr. Chairman?

13 CHAIRMAN VAN LAAR: Yes?

14 MR. SAVINO: Can I make a motion to change
15 the order of the cases and move 27-2017, Boone
16 County, to the end?

17 CHAIRMAN VAN LAAR: I will -- yes, I will
18 allow that. Is there a second to that?

19 MR. SCHABACKER: Second.

20 CHAIRMAN VAN LAAR: Motion by Savino to
21 move 27-2017 to the end of the agenda, end of the
22 case agenda, and seconded by Schabacker. All those
23 in favor say aye.

24 (Whereupon, all the eyes were

1 heard.)

2 CHAIRMAN VAN LAAR: All those opposed?

3 (Whereupon, no nays were heard.)

4 CHAIRMAN VAN LAAR: Motion carries. So
5 Quality Aggregates is up first. We'll get you in
6 and out of here as fast as we can. Before you step
7 to the podium, could you go through the -- give us a
8 summary?

9 MS. ROTTMANN: Yes. Absolutely. So this
10 evening, the applicant, Quality Aggregates of
11 Illinois, LLC, PO Box 558, Cherry Valley -- is this
12 on?

13 CHAIRMAN VAN LAAR: Uh-huh. (Affirmative
14 response.)

15 MS. ROTTMANN: Okay. Sorry. On behalf of
16 the owner, Alpine TR 1778, 600 South State Street,
17 for a special use, for the renewal of their existing
18 special use to operate a quarry and related
19 activities within the A-1 agricultural preservation
20 district on approximately 226 acres. The location
21 is 2758 Wheeler Road, Cherry Valley, Illinois.

22 The current land use is quarry operations.
23 North and west are agricultural row crop; south,
24 agricultural row crop and conservation area; east,

1 row crop production and farmstead.

2 Current zoning for all properties is A-1.

3 Comprehensive plan says agricultural/rural
4 for all properties.

5 A little bit of background. In '99 the
6 County denied the original request for a quarry on
7 this property. Through the legal appeal process,
8 the courts granted Quality Aggregates permission to
9 operate a quarry on the subject property in 2003.
10 Within the court order a list of operating
11 conditions; one being that the quarry must renew the
12 special use application within five years of
13 approval. At this time each individual condition
14 will be reviewed and any amendments granted by this
15 petition may be reversed.

16 There were no objections by any other
17 agencies. There's really no trend in this area.
18 And I'll go through the findings of fact or would
19 you just like me to summarize it?

20 CHAIRMAN VAN LAAR: Could you summarize
21 it, please?

22 MS. ROTTMANN: Yes. Quarries are not
23 typically a use that is desirable within a
24 community, but they are necessary for the provision

1 of construction materials. The location of this
2 type of use is tied to where the resources are
3 located. Since the quarry began operation under
4 court-order approval, the staff is not aware of any
5 substantial compliance complaints or reports of
6 damage from surrounding properties or any other
7 negative effects on the general welfare of the
8 community.

9 Staff has not received any concerns or
10 complaints from the Flora Township officials
11 regarding concerns over the condition of Wheeler
12 Road. Evidence of compliance within the previous
13 conditions of approval have been submitted to the
14 planning office and are available for public review.

15 Planning staff recommends approval of Case
16 No. 28-2017 with the list of following conditions.
17 I can read through them all, if you'd like. They
18 are mostly similar to what was proposed on the last
19 case, just some small changes with the I-90.

20 CHAIRMAN VAN LAAR: Could you go through
21 the changes? We have it on record that these are
22 mostly the same as last time --

23 MS. ROTTMANN: Yeah.

24 CHAIRMAN VAN LAAR: -- but if you could

1 just go through the changes.

2 MS. ROTTMANN: The changes would be the
3 hours of operation for No. 2 below, they had stated
4 something to the effect of based on the tollway
5 project, they would be limited hours. Something to
6 that effect.

7 CHAIRMAN VAN LAAR: Wasn't there
8 additional hours put on via the tollway project?

9 MS. ROTTMANN: Correct. So they were
10 removed from -- I just did not include them on this.

11 CHAIRMAN VAN LAAR: Right. Okay.

12 MS. ROTTMANN: They're not part of this.
13 They're not asking for that. They're just asking to
14 maintain what they currently have. I think that's
15 the really big one on here that that was the change
16 for the hours of operation for that.

17 MR. SAVINO: That was the one I remember
18 being different.

19 MS. ROTTMANN: Yeah. So everything else
20 is essentially the same. There was just a couple of
21 changes for that project that they had asked for
22 some special requirements. But that project has now
23 ceased, so, therefore, it would not even follow on
24 this matter no matter whether or not, so I just

1 removed those entirely from the request. But
2 everything else is compliant. You can ask Drew.
3 Drew did his inspection, and they've been compliant
4 with everything. I have had no complaints from this
5 applicant and this use in that area.

6 CHAIRMAN VAN LAAR: Very good. I do want
7 to note, for the record, that Ms. Krumm has entered,
8 so she will be a voting member as well.

9 Any questions for Hilary at this time?

10 Drew, would you be willing to take questions as
11 well?

12 MR. BLISS: Sure.

13 CHAIRMAN VAN LAAR: Any questions for
14 Hilary or for Drew at this time?

15 (No response.)

16 CHAIRMAN VAN LAAR: If not, I'll ask the
17 applicant to step forward, we'll swear you in.
18 Raise your right hand.

19 MR. NOBLE: (Complies with request.)

20 CHAIRMAN VAN LAAR: Give us your name and
21 address.

22 MR. NOBLE: Nathan Noble, 504 North State
23 Street, Belvidere, Illinois 61008. I'm the attorney
24 representing the applicant.

1 (Mr. Noble was sworn.)

2 THE COURT: Very good. Do you have
3 anything to add to what was mentioned here?

4 MR. NOBLE: Not really. Just briefly. In
5 summation, we're not asking for any expansion to
6 what was initially approved. There were, I think,
7 two special use changes which were expanded, again,
8 those due solely to the I-90 project when it went
9 through. That's been completed. We're not asking
10 for any continued expansion of those, just to roll
11 along with exactly what was initially approved. And
12 I think -- unless you guys have any questions about
13 any of those things?

14 CHAIRMAN VAN LAAR: So this is --
15 actually, I should have asked Hilary this. This is
16 something that is renewed every five years?

17 MR. NOBLE: Yes, pursuant to the court
18 order it has to be, yes.

19 CHAIRMAN VAN LAAR: It doesn't say that
20 exactly in the background, so that was what I was --
21 because I remember it kept coming in and coming in.
22 It came in, yeah, '12 or '13.

23 MS. ROTTMANN: '12 or '13 was the last
24 time it was renewed, and there were no complaints or

1 issues with that request.

2 CHAIRMAN VAN LAAR: Anything for the
3 applicant?

4 (No response.)

5 CHAIRMAN VAN LAAR: It looks like --
6 anybody from the audience who would like to ask the
7 applicant any questions?

8 (No response.)

9 CHAIRMAN VAN LAAR: You may sit down, sir.

10 MR. NOBLE: Thank you very much,
11 Mr. Chairman.

12 CHAIRMAN VAN LAAR: Yes. Anybody that
13 was -- that is speaking in opposition to this? They
14 have their time as well.

15 (No response.)

16 CHAIRMAN VAN LAAR: Seeing none. Any
17 further questions for Hilary or for Drew? If I
18 don't see any, I will ask for a motion to close the
19 public hearing on Case 28-2017.

20 MS. KRUMM: So moved.

21 CHAIRMAN VAN LAAR: Motion by Krumm to
22 close the public hearing.

23 MR. SAVINO: Second.

24 THE COURT: Second by Savino. Any

1 discussion?

2 (No response.)

3 CHAIRMAN VAN LAAR: All those in favor say
4 aye.

5 (Whereupon, all the ayes were
6 heard.)

7 CHAIRMAN VAN LAAR: All those opposed?

8 (Whereupon, no ayes were heard.)

9 CHAIRMAN VAN LAAR: Motion carries. The
10 public hearing is closed.

11 MR. SAVINO: I make a motion to approve
12 the findings of fact.

13 CHAIRMAN VAN LAAR: Savino makes a --
14 motion by Savino to approve the findings of fact.
15 Is there a second?

16 MS. KRUMM: Second.

17 CHAIRMAN VAN LAAR: Second by Krumm. Any
18 discussion?

19 (No response.)

20 CHAIRMAN VAN LAAR: All those in favor say
21 aye.

22 (Whereupon, all the ayes were
23 heard.)

24 CHAIRMAN VAN LAAR: All those opposed?

1 (Whereupon, no nays were heard.)

2 CHAIRMAN VAN LAAR: Motion carries.

3 Findings of fact are approved.

4 Do I have a motion to grant this special
5 use?

6 MR. SAVINO: So moved.

7 CHAIRMAN VAN LAAR: Motion by Savino to
8 grant the special use. Is there a second? I've got
9 to look this (indicating) way. Second by Krumm.
10 Any discussion?

11 MS. KRUMM: Nope.

12 CHAIRMAN VAN LAAR: Seeing none. All
13 those in favor -- let's roll call, please.

14 MS. ROTTMANN: Savino?

15 MR. SAVINO: Yes.

16 MS. ROTTMANN: Krumm?

17 MS. KRUMM: Yes.

18 MS. ROTTMANN: Rhode?

19 (No response.)

20 MS. ROTTMANN: Schabacker?

21 MR. SCHABACKER: Yes.

22 MS. ROTTMANN: Van Laar?

23 CHAIRMAN VAN LAAR: Yes. Motion carries.

24 That was quick.

1 MR. NOBLE: Thank you very much.

2 CHAIRMAN VAN LAAR: Yes.

3 MS. ROTTMANN: We will see you January 3rd
4 for PZB.

5 MR. NOBLE: Yes. Sounds good.

6 MS. ROTTMANN: 6:00 o'clock.

7 MR. NOBLE: 6:00 o'clock. Thank you.

8 MS. ROTTMANN: You're welcome. Have a
9 good New Year.

10 CHAIRMAN VAN LAAR: Okay. Case No.
11 29-2017. Scott Anderson. If you would be so kind
12 as to summarize it, go through it for us, I'd
13 appreciate it.

14 MS. ROTTMANN: Yes. The applicant, Scott
15 Anderson, 12801 Beaverton Road in Poplar Grove,
16 Illinois, is requesting a variance under Subsection
17 3.2.4, Section 3.2, Chapter 3 of the Boone County
18 Zoning Ordinance to allow for a five-foot yard
19 setback to construct a pole shed at the location in
20 unincorporated Poplar Grove Township, Boone County,
21 Illinois.

22 Existing land use is single-family
23 residence. North and south are single-family
24 residence. East and west are row crop.

1 Current zoning is A-1 for all the
2 properties.

3 The comprehensive plan states agricultural
4 rural for the subject and adjacent properties.

5 The background. The applicant states that
6 the variance from the setback allows for better use
7 of the land. The location of the pole shed was
8 chosen because this location is fairly flat and the
9 building direction would shield the horses from the
10 wind.

11 Other planning considerations. Soil and
12 water states their review does not apply.

13 The building department has no objections
14 but notes that a zoning certificate will be needed.

15 The health department has no objections to
16 the request, and the applicant has had the site plan
17 reviewed with the health department.

18 The Boone County engineer has no
19 objections to the request.

20 There's really no development in this
21 area.

22 Would you like me to go through the
23 findings of fact or summarize them?

24 CHAIRMAN VAN LAAR: Please go through the

1 findings of fact.

2 MS. ROTTMANN: All righty.

3 So, No. 1, the particular physical
4 surroundings, shape or topographical conditions of
5 the subject property involved would not result in a
6 particular hardship upon the owner as distinguished
7 from a mere convenience if the strict letter of
8 regulations were carried out.

9 This lot meets the lot requirements of the
10 A-1 agricultural preservation district zoning.
11 Although this property has an area within the 7.58
12 acre parcel to look at the pole barn without a
13 variance, the lot's steep slopes creates
14 topographical limitations for accessory structures.

15 No. 2, the conditions upon which the
16 petition for a variance is based would not be
17 applicable generally to other property within the
18 same zoning district.

19 The property has a steep slope. It
20 creates challenges for configuring desirable layouts
21 for accessory structures and generally not
22 applicable to other properties within the same
23 zoning district.

24 No. 3, the purpose of the variance is not

1 based exclusively upon a desire to make more money
2 out of the property. The applicant wishes to
3 construct the pole shed to house horses for the
4 family farmerette. The variation will not provide a
5 financial gain.

6 No. 4, the owner of the property has not
7 created the alleged difficulty or hardship.

8 The planning staff is of the opinion that
9 the requested variance is due to a matter of
10 convenience versus hardship. As such, no hardship
11 exists to be created by the applicant.

12 No. 5, the granting of the variance will
13 not be detrimental to the public welfare or
14 injurious to other property or improvements in the
15 neighborhood in which the property is located.

16 The planning staff is not aware of any
17 detrimental or injurious impacts that an
18 agricultural building will have on the surrounding
19 properties.

20 No. 6, the proposed variance will not
21 impair an adequate supply of light and air to the
22 adjacent property or substantially increase the
23 congestion in the public streets or increase the
24 danger of fire or endangering the public safety or

1 substantially diminish or impair property values
2 within the neighborhood or adversely affect the
3 health, morals or general welfare of the public.

4 The new building is not anticipated to
5 increase traffic, endanger others, impair property
6 values or diminish light and air from the adjacent
7 properties.

8 No. 7, that the potential public benefits
9 of the variance outweigh any potential adverse
10 impacts of the variance after taking into
11 consideration the applicant's proposal and any
12 requirements recommended by the applicant to
13 ameliorate such impacts.

14 The benefits of the variance outweigh the
15 request due to the fact that the proposed pole shed
16 is not anticipated to have any negative impact on
17 the neighboring properties.

18 The planning staff recommends approval of
19 Case 29-2017.

20 CHAIRMAN VAN LAAR: Any questions for
21 Hilary from the board?

22 (No response.)

23 CHAIRMAN VAN LAAR: Hearing none. The
24 applicant is here. Could you step forward, please.

1 MR. ANDERSON: (Complies with request.)

2 CHAIRMAN VAN LAAR: Step over to this
3 (indicating) podium, please, and raise your right
4 hand. State your name and address for the record.

5 MR. ANDERSON: Scott Anderson, 12801
6 Beaverton Road, Poplar Grove, Illinois 61065.

7 (Mr. Anderson was sworn in.)

8 CHAIRMAN VAN LAAR: Very good. Do you
9 have anything to add that, you know, anything that
10 was -- that she misspoke or you would want to
11 clarify or --

12 MR. ANDERSON: No, nothing. Everything
13 was very straightforward.

14 CHAIRMAN VAN LAAR: Okay. Does the board
15 have anything to ask Mr. Anderson?

16 MR. SAVINO: Not me.

17 CHAIRMAN VAN LAAR: Your neighbors are
18 fine with this?

19 MR. ANDERSON: Yes, I spoke with -- the
20 neighbors who line -- neighbor whose line directly
21 is five feet off of where I want to build a shed.
22 He's okay with where it's at.

23 CHAIRMAN VAN LAAR: And that's
24 currently -- he must lease that out or he must farm

1 that himself?

2 MR. ANDERSON: He farms it himself. It's
3 Phil Babcock.

4 CHAIRMAN VAN LAAR: Okay. Yes.

5 MR. SCHABACKER: I have a question.

6 CHAIRMAN VAN LAAR: Sure.

7 MR. SCHABACKER: Scott, I drove out there
8 today, and have you started that structure?

9 MR. ANDERSON: Yes, I have --

10 MR. SCHABACKER: Okay.

11 MR. ANDERSON: -- with the gamble that it
12 would be approved. If it wouldn't be approved or if
13 it's not approved tonight, I will have to move it,
14 which I'm willing to do, obviously.

15 MR. SCHABACKER: I see you have six-by-six
16 posts that are in there.

17 MR. ANDERSON: Uh-huh. (Affirmative
18 response.)

19 MR. SCHABACKER: You've got, it looks
20 like most all the -- I didn't see any roofing or
21 sheathing, but it looks like this is the skeleton of
22 the framing.

23 MR. ANDERSON: It's -- what I wanted to do
24 is get the holes in the ground before it freezes,

1 which, as we all know, it's freezing out right now.
2 So I want to get the holes in the ground, and like I
3 said before, if I have to move them, I'll re-dig the
4 holes and put the poles elsewhere.

5 MR. SCHABACKER: Okay. Thank you.

6 CHAIRMAN VAN LAAR: Show me where the --
7 do you have any pictures of the proposed structure?

8 MS. ROTTMANN: Yes, I have a site plan if
9 that's what you're looking for. I've just got to
10 get there.

11 CHAIRMAN VAN LAAR: That's fine.

12 MR. ANDERSON: I can talk you through the
13 picture if you have any questions.

14 CHAIRMAN VAN LAAR: Yeah, could you,
15 please.

16 MR. ANDERSON: Yeah, so the house is
17 rectangular, square facing the road, parallel with
18 the road. The garage is not attached next to it,
19 and then the backyard is all fenced. We have
20 Greyhounds. And behind that, what you see is -- it
21 appears to be a harvested hayfield, but as you can
22 see right where the mouse arrow is, there's a corner
23 of the dry lot. If you go straight to the right,
24 the other corner is right almost at the edge of the

1 white screen, horizontal, yeah, right there. So
2 that there is a fenced dry lot. And actually one of
3 the animals is standing right there. It looks like
4 one of the horses. So this is on really sloped
5 land. It slopes pretty significantly from the
6 garage in the back of the house down to the field.
7 The valley is another hundred feet to the east of
8 that or looking farther to the right. And the shed
9 makes the most sense to me. And I've talked to
10 several construction, farmers, even Phil Babcock my
11 own neighbor about it. We're pretty good friends.
12 And the best placement is on the highest ground in
13 that dry lot, which is the northwest corner which is
14 where I plan to ask to build it.

15 CHAIRMAN VAN LAAR: It looks like this
16 (indicating) is your septic, your greenfield?

17 MR. ANDERSON: Correct, yes. And it's a
18 good 50, 75 feet away.

19 MR. SCHABACKER: Do you know the setback
20 between that garage and north, the existing
21 structure, do you know that setback there currently?

22 MR. ANDERSON: Yeah, I believe it's about
23 12 feet.

24 MR. SCHABACKER: And then from the garage

1 to the north side higher up, yeah, right there
2 (indicating), do you know what that is?

3 MR. ANDERSON: Oh, I was -- when I
4 answered you first, I meant --

5 MR. SCHABACKER: No, I understand. I
6 understand. That's all right. Do you have a
7 ballpark idea of what that is?

8 MR. ANDERSON: Yeah, it's about 12 feet,
9 16 feet maybe.

10 CHAIRMAN VAN LAAR: Between the garage and
11 the house is not 12 feet.

12 MR. ANDERSON: No, that's probably
13 eight feet.

14 CHAIRMAN VAN LAAR: Probably closer to
15 eight?

16 MR. ANDERSON: Eight. Eight or ten. It's
17 pretty close. There's just an electrical pole with
18 an electric box in it.

19 MS. KRUMM: Sounds like a plan to me.

20 CHAIRMAN VAN LAAR: She's ready to vote.

21 Any other questions for Mr. Anderson?

22 (No response.)

23 CHAIRMAN VAN LAAR: Does the audience have
24 any questions for Mr. Anderson?

1 (No response.)

2 CHAIRMAN VAN LAAR: He's under oath right
3 now, so you have him -- strike all that, please.

4 You may sit down, Mr. Anderson.

5 MR. ANDERSON: Thank you for your time.

6 CHAIRMAN VAN LAAR: Yes. Is there a
7 motion to close the public hearing?

8 MR. SAVINO: So moved.

9 CHAIRMAN VAN LAAR: Motion by Savino.

10 MS. KRUMM: Second.

11 CHAIRMAN VAN LAAR: Second by Krumm. Any
12 discussion?

13 (No response.)

14 CHAIRMAN VAN LAAR: You guys have
15 everything that you need?

16 (No response.)

17 CHAIRMAN VAN LAAR: All those in favor say
18 aye.

19 (Whereupon, all the ayes were
20 heard.)

21 CHAIRMAN VAN LAAR: All those opposed?

22 (Whereupon, no nays were heard.)

23 CHAIRMAN VAN LAAR: Motion carries.

24 Public hearing for Case No. 29-2017 is closed.

1 Motion to approve findings of fact.

2 MR. SAVINO: I keep making them. So
3 moved.

4 CHAIRMAN VAN LAAR: Moved by Savino.

5 MR. SCHABACKER: Second.

6 CHAIRMAN VAN LAAR: Seconded by
7 Schabacker. Any discussion?

8 (No response.)

9 CHAIRMAN VAN LAAR: Seeing none -- hearing
10 none. Yes?

11 MR. SCHABACKER: I've got a couple of
12 concerns here. Do you want me to bring them up?

13 CHAIRMAN VAN LAAR: Yes. Yes.

14 MR. SCHABACKER: I drove out there and
15 stopped and took a look from north and south, and
16 I'm not in favor of this. Five feet is basically
17 about like this (indicating). So if that goes
18 through, the guy on the other side, what if he wants
19 five feet, and you've got ten feet between your
20 buildings? I just don't think -- it's agricultural,
21 and it's not two or three acres, it's seven or more.
22 There's plenty of room. I'm just not in favor of
23 this five-foot variance. I think he should hold at
24 40. It's been there for quite a while. It's A-1

1 agricultural. The lot is 250 feet wide. There's
2 plenty of room. And my take on it is that -- and I
3 understand Mr. Anderson's ideas there, but if you're
4 looking for a variance, that can't be a self-imposed
5 hardship. The structure -- the framing is there,
6 it's in place. I'm sure it was done without any
7 intent to do anything wrong, but I'm not in favor of
8 passing that as it's read going clear down to
9 five feet. I just can't -- I can't do it. That's
10 all.

11 CHAIRMAN VAN LAAR: So you would have an
12 issue with the findings of fact of the self-imposed
13 hardship portion of it?

14 MR. SCHABACKER: Yes. Right.

15 CHAIRMAN VAN LAAR: Okay.

16 MR. SCHABACKER: That's one, but then,
17 also, I don't see obstructions. There is a slight
18 slope to the land, but you base that on a lot of
19 pieces of property. Many years ago I had a parcel
20 that I had to bring in some fill, too, but you meet
21 the setbacks. And I think that 40-foot setbacks are
22 for a reason for agricultural. If we were to
23 approve -- and, again, this is my two cents. If we
24 were to approve the five foot, I see this set -- for

1 seven acres, somebody else comes in, I have a hard
2 time not giving them five feet. I just think that's
3 too big a bite.

4 CHAIRMAN VAN LAAR: So we're voting on the
5 findings.

6 MS. KRUMM: Well, are you going to -- so
7 what numbers are we voting?

8 CHAIRMAN VAN LAAR: One and two.

9 MS. KRUMM: One and two. Okay.

10 MR. SAVINO: So right now we have a motion
11 to approve them as they are. If they are shot down,
12 then we would have to change them.

13 CHAIRMAN VAN LAAR: We'd have to change
14 them. That is correct.

15 Okay. Any further discussion?

16 (No response.)

17 CHAIRMAN VAN LAAR: All those -- all those
18 for approving the findings of fact as is, signify by
19 saying aye.

20 (Whereupon, all the ayes were
21 heard.)

22 CHAIRMAN VAN LAAR: All those opposed?

23 (Whereupon, all the nays were
24 heard.)

1 CHAIRMAN VAN LAAR: Motion carries. The
2 findings of fact are approved.

3 MR. SAVINO: I'll make a motion to approve
4 Case 29-2017.

5 MS. KRUMM: Second.

6 CHAIRMAN VAN LAAR: Motion by Savino to
7 approve Case 29-2017 and seconded by Krumm.

8 Is there any further discussion?

9 MR. SAVINO: Sure. So the five feet
10 doesn't -- or it's not something that I would do,
11 and I agree that it's small. But there's nothing to
12 the north, and that neighbor was fine with it, so I
13 guess I'm fine with it. If it was my own personal
14 property, I'd probably leave more room. If you ever
15 want to drive a car between there or get something,
16 you're kind of stuck. But I look at this, the
17 five feet is close. His garage is probably like 10,
18 12 feet, so to me, it's like that's already close.
19 This building is real close. If the neighbor wanted
20 to build something, like he said, and he wants
21 five feet, that's why you come in each time, because
22 then we can say, no, that's way too close to the one
23 building there, and you have to move it back further
24 or somewhere else. So, for me --

1 MR. SCHABACKER: I don't see how, Tony,
2 you could turn me down. If I'm next to him, you
3 mean you're going to tell me that because he's got
4 his building there first, I can't have mine?

5 MR. SAVINO: That's exactly why we have
6 this board is to look at every situation
7 individually, you know what I mean?

8 MR. SCHABACKER: I sure do, because I used
9 to deal with this.

10 MR. SAVINO: Sure.

11 MR. SCHABACKER: And, to me, you're really
12 setting a bad precedence here.

13 MR. SAVINO: Well, then -- go ahead.
14 Sorry.

15 MR. SCHABACKER: No, no, that's okay.
16 Discussion's good.

17 MR. SAVINO: Yeah.

18 MR. SCHABACKER: You know, I'm not -- I
19 think sometimes you've got to stand your ground, and
20 I don't want to be unkind to anybody, I think you
21 know that, but there's no way with my conscience
22 that I could approve this and say no to the next
23 guy, you know, to me, that's not good enough. If I
24 came in here and you did that to me, that wouldn't

1 work well. I'd want to see why that gentleman got
2 five and I cannot. Because he got there first? I
3 don't think that's written in the code anywhere.
4 And in my opinion, I think that's a big mistake from
5 my years of experience giving somebody this big of
6 chunk, you're taking 35 feet. What's the reason we
7 have 40? There's a reason we put 40 in there,
8 because agriculture and the size of land. If we cut
9 down to five, we've got subdivisions that have
10 bigger setbacks than that. And we're going to take
11 a building and put it within five feet. I really
12 disagree with that.

13 MR. SAVINO: Sure. I see your point. But
14 what is the point of having a board for variances?
15 Then why do we have a variance process?

16 MR. SCHABACKER: And you're right. But
17 the board's not here to grant everything that comes
18 here. If we're here to give yes to everything --

19 MR. SAVINO: Sure.

20 MR. SCHABACKER: -- then we shouldn't be
21 doing this, you know. And I'll discuss that with
22 you at any length. We are not here to rubber stamp
23 anything.

24 MR. SAVINO: Uh-huh. (Affirmative

1 response.)

2 MR. SCHABACKER: You know, we're here to
3 make sure that if there's a true hardship -- so
4 what's the hardship?

5 MR. SAVINO: In this case?

6 MR. SCHABACKER: Yes.

7 MR. SAVINO: I think it's more preference.
8 It slopes off.

9 MR. SCHABACKER: But that's not a
10 hardship.

11 MR. SAVINO: Could he come a little bit
12 forward? Maybe.

13 MR. SCHABACKER: I don't see the hardship.
14 I disagree. I don't see it. And I think that plays
15 a role. Anytime people come to us looking for a
16 variance, it's because there's some issues that have
17 been self-created and they need to deal with. And I
18 agree with you. We are here for that. We're not
19 here, in my opinion, to grant something because
20 there's been some mistakes made, because if that's
21 the case there, I'm not saying it is, but if that's
22 the case there, we can do that until the end of
23 eternity. In my opinion, this committee is here to
24 look at what is brought before us to make good

1 judgment, good conscientious judgment of concerns
2 for all, not for one individual that's applying.
3 And, to me, I think if you get a five-foot setback,
4 I just think that's -- you know, I don't want to be,
5 you know, overtalking here, but I just -- I just
6 can't lock in with that, with five foot. I just
7 think that's way, way too big. Again, where's --
8 where's the hardship that I can hang my hat on when
9 the neighbor comes to me and wants the same thing or
10 a guy down the road or anywhere in our community.
11 The 40 foot's been put there. It's been there for
12 years. There's a reason for that. For us to cut it
13 down to five, we're not even talking half, we're
14 taking 70 percent out of this. That's too big.
15 Anyway, that's my position.

16 MS. KRUMM: I was looking at it from the
17 perspective of where I live. We have 20 acres, and
18 we are very close to our lot line, and there's a
19 farm right next to us, and that's been -- we've been
20 here a few years, and it's worked, but if they
21 wanted to put something very close, they have -- we
22 tried to buy five acres right alongside of us just
23 because it would give us some space there, but they
24 wouldn't sell. They still haven't sold anything,

1 and I just think that those kind of situations
2 happen in this county because of where -- how the
3 farms got taken up. Was this parcel part of a big
4 farm?

5 MS. ANDERSON: Yes.

6 MR. ANDERSON: Yes, it was.

7 MR. SAVINO: So does that five feet bother
8 you, Joan?

9 MS. KRUMM: Well, I know what it's like to
10 live in it, and my animals are, you know, right on
11 the lot line, they run right alongside that lot
12 line. I just really -- I guess it bothers me less
13 because I live in that situation, but -- it just
14 doesn't seem like a location where there's going to
15 be a lot of building or subdivision or anything
16 coming up soon. It's going to be -- I think it's
17 going to be agricultural, but I understand what
18 you're saying, Steve, and I agree, but I also live
19 in that situation. And when he had to buy -- and
20 when we bought, we bought with knowing that, so...

21 It's liveable. Unless somebody wanted to
22 put a house back there.

23 MR. SCHABACKER: My point here is this is
24 new. This isn't existing. This isn't existing.

1 It's a new structure. Even though the gentleman
2 mentioned that he got a little ahead there, now is
3 the time, in my opinion, though, to look at those
4 issues. Again, I get repetitious, but I guess I'll
5 never understand, because if another person comes in
6 and wants five, and we set five for this guy, I
7 can't see the hardship.

8 MS. KRUMM: I don't think that applies. I
9 mean, I understand our precedence, but I don't see
10 that -- well, you, in this particular case with the
11 slope of the land and the garage being so close to
12 the -- I mean, it's part of that property already.
13 Everything is very close there to that one side like
14 it is where I live. And so, to me, I would think if
15 somebody bought a parcel next door, they would
16 probably put theirs in the middle of the property or
17 maybe they'd go to the other side, who knows. But I
18 don't think that somebody can come in here and say,
19 well, you gave him five acres, and, therefore, I
20 have to get five acres -- five feet, too. I don't
21 see that that's something that they can -- and it
22 would be just like what you said, this is a
23 case-by-case basis here. And I -- you know, it's
24 hard when you're living that close to the lot line.

1 MR. SCHABACKER: And I can see that if you
2 didn't have the room. Again, I can't get my hands
3 around this when the gentleman doesn't have a
4 hundred foot lot. I just can't pull a rationale on
5 why we would approve this, but, again, that's my two
6 cents. If the committee does, I'm fine, but I
7 still -- there's no way I can approve it. If the
8 committee wants to, you know, that certainly is
9 appropriate, but I can't. And I disagree with this
10 committee if it does. I don't think it's a good
11 thing to do. Again, I get like a broken record. I
12 think variances, my intent over the years of
13 experience I've had, hold heavily on a hardship.
14 Somebody tell me what the hardship is. A little bit
15 of dirt? What's your hardship? You've got
16 seven acres. What's the hardship? I don't
17 understand that, and I think we're shooting far out
18 of where we should be with this. I think we should
19 hold that at 40 foot. That's what it is. And, you
20 know, like I said a minute ago, I'm kind of like a
21 broken record, so it's not -- I'm not comfortable,
22 you know, when in doubt, don't, and I'm in doubt. I
23 can't do it, you know, it doesn't feel good.
24 There's a reason for that 40. It's been there for a

1 long time. It's worked. Again, a hardship,
2 everything I looked at, I can't come up with an
3 okay. You know, if I could spot something to me,
4 okay, I could do that, but, no, I just can't find
5 anything that I can hang my hat on comfortably and
6 say, yeah, we gave him five feet. I just can't.
7 But if the committee does, like I said a moment ago,
8 well, it's their decision, but at least you know
9 what my thoughts are.

10 MS. KRUMM: Drew, what do you think?

11 MR. BLISS: As a general rule of thumb, I
12 don't give an opinion on variances simply because
13 I'm the one that has to deal with it after it is
14 potentially approved, so I've always thought I
15 shouldn't be the one saying, no, don't give them a
16 variance, and if it gets approved, then I have to
17 deal with the applicants during the construction
18 phase.

19 MS. KRUMM: I'm just curious what you
20 think about this situation. Do you think you would
21 come up with later on somebody saying he got
22 five feet, I should get five feet also?

23 MR. BLISS: I've watched ZBA wrestle with
24 these issues over the years, and I guess what it

1 boils down to is each case is different. And you
2 look at each -- you're not setting, necessarily
3 setting a precedent, okay, by approving one
4 particular case. So by giving someone a variance
5 tonight at five feet, it doesn't make it you're
6 obligated to give someone else a five-foot variance
7 in the future.

8 MS. KRUMM: But it could be a talking
9 point.

10 MR. BLISS: For sure. If I were an
11 applicant, I would point to another case, but it
12 doesn't -- it doesn't make it that ZBA is obligated
13 to give someone the variance in the future just
14 because you did in the past.

15 MS. KRUMM: Thank you.

16 MR. BLISS: Sure.

17 MR. SCHABACKER: But I feel obligated so
18 that if I give somebody five foot, and Tony comes in
19 and wants it, even if it's not the same parcel, but
20 it's similar, I just don't -- well --

21 MS. KRUMM: You're doing what I usually
22 do.

23 MR. SCHABACKER: That's because I'm
24 sitting on this side with you.

1 MS. KRUMM: Is that what's wrong?

2 MR. SAVINO: Well, that was like we had
3 that string of bigger garages like two years,
4 remember that? They kept coming in, and we kept
5 approving, approving them, and you're like, I'm
6 against these, no, no, no. But then there was one
7 that was bigger than the rest.

8 MS. KRUMM: Oh, there was one that was
9 gigantic.

10 MR. SAVINO: Yeah, and we said, no, you
11 know, it was kind of a big garage on a smaller lot.
12 If there was other buildings closer already, I might
13 be -- five feet is close, but there's nothing there.
14 It's farm. Like you said, there's probably not
15 going to be development in that area.

16 MR. SCHABACKER: Ask yourself once again,
17 how do you get a variance?

18 MR. SAVINO: What's that?

19 MR. SCHABACKER: How do you get the
20 variance?

21 MR. SAVINO: In what --

22 MR. SCHABACKER: It's if it shows a
23 hardship. That's one of the bigger keys to the
24 variance is a hardship, and you're skipping over

1 that. Where is the hardship?

2 MR. SAVINO: Is that the only reason you
3 get a variance?

4 MR. SCHABACKER: That's one of the bigger
5 ones --

6 MR. SAVINO: Okay.

7 MR. SCHABACKER: -- because it's not
8 whether you -- you know, what I like or I don't
9 like. It's if you can show me that you have a
10 hardship on your property, and I've seen this over
11 the years, and I was around it, that was much easier
12 to permit, because there's a hardship. Without that
13 hardship, in my opinion, it's a huge step backwards
14 if we don't hold to that. It's in there for a
15 reason, you know. That's just where I am.

16 MR. SAVINO: Brian, what do you think?

17 CHAIRMAN VAN LAAR: How tall is this
18 structure? At peak, how tall will this structure at
19 peak be?

20 MR. ANDERSON: It will be 12 feet in the
21 front, 10 feet in the back. It's going to be a
22 single-sloped open shed, like --

23 MS. KRUMM: Lean-to?

24 MR. ANDERSON: Just like a lean-to but not

1 leaning up against it. It's the only -- it would be
2 the only structure on the property that's outside of
3 the house and the garage. Right now it's just open
4 field. We've had horses there for six, seven years
5 now. I mean, I've seen that dry lot erode, the soil
6 end up down at the bottom corner of the dry lot of
7 the southeast corner of it. I definitely understand
8 what Mr. Schabacker is saying, but I don't want the
9 horses to go around behind it, because if they do,
10 it will cause further erosion.

11 MS. KRUMM: Unless you fence it different.

12 MR. ANDERSON: It could be -- it could be
13 more of a mud pit behind it.

14 MS. KRUMM: Or riding there.

15 MS. ROTTMANN: Yeah, it's all dirt.

16 CHAIRMAN VAN LAAR: So the south is open?
17 What side is going to be open on this?

18 MS. ANDERSON: The south.

19 CHAIRMAN VAN LAAR: The south side.

20 MR. ANDERSON: It will be facing south.
21 The back and sides will be closed. And I talked to
22 Phil about it, and he has a huge machine shed up
23 closer to the road. I don't know if you can look
24 any further north on that picture or not, but his

1 house and garage and shed are right there. He has
2 horses. Our horses share the fence line. We even
3 ride together. His daughter, Kristine, is trained
4 to help with our horses. There's a good rolling
5 relationship there with Phil.

6 CHAIRMAN VAN LAAR: So in answer to your
7 question, Tony, what I think of it.

8 MR. SAVINO: Yep.

9 CHAIRMAN VAN LAAR: Initially I was -- I
10 was against this. And five feet is just -- is just
11 so close. I don't like it as much. I share much of
12 the same with Steve on this. I see a number of
13 these types of open buildings out by us, and they
14 don't seem to have as big of a presence as a
15 building that you continue to use for a garage or
16 you use for a storage barn. They just -- they
17 just -- they're not -- they're not an impressive
18 building, 10 on one side, 12 on the another. We're
19 not talking, you know, a 30-foot peak like a lot of
20 buildings -- or some buildings are. So with this
21 case, I would be -- if it was any other building,
22 I'm sure I would be opposed, but at this point,
23 since it's -- it's an open-faced building, I will be
24 okaying this but somewhat grudgingly.

1 MR. SCHABACKER: You can always enclose
2 those buildings.

3 MS. KRUMM: That's right.

4 MR. SCHABACKER: And it's a 16 by -- it's
5 almost 16 by 50. That's not a small -- it's not
6 huge, but that's a good-sized building, 16 by almost
7 50. And I've seen people enclose them and they put
8 doors on them because then there's more protection
9 yet. I just think we're setting it up.

10 MS. KRUMM: It's a big building. It's a
11 big building. We have lean-tos, and they're not
12 that long.

13 CHAIRMAN VAN LAAR: Right, right.

14 MS. KRUMM: There's going to be -- how
15 many horses are we talking?

16 MS. ANDERSON: We have five, and we have
17 two donkeys.

18 MR. ANDERSON: And they're miniature
19 donkeys, so the horses really push 'em around.

20 MS. KRUMM: So you need more?

21 MR. ANDERSON: Well, you need more than
22 one bay in the shed, because the bigger horses will
23 kick them out, and they'll be standing out there
24 freezing.

1 MS. KRUMM: Yeah, you've got to fence them
2 off.

3 CHAIRMAN VAN LAAR: So there's four of us.

4 MS. KRUMM: I call the question.
5 Everybody said something.

6 CHAIRMAN VAN LAAR: Yeah. The question
7 has been called. Let's do roll call, please.

8 MS. ROTTMANN: All righty. Schabacker?

9 MR. SCHABACKER: No.

10 MS. ROTTMANN: Rhode?

11 (No response.)

12 MS. ROTTMANN: Krumm?

13 MR. SCHABACKER: Yes.

14 MS. ROTTMANN: Savino?

15 MR. SAVINO: Yes.

16 MS. ROTTMANN: Van Laar?

17 CHAIRMAN VAN LAAR: Yes. Grudgingly, yes.

18 MS. ROTTMANN: 3-1. All right. So this
19 is the only meeting that this particular planning
20 case goes to, so what I will do is, I will write you
21 an approval letter, and give you copies and also
22 give the other agencies copies. So you're free to
23 leave or you're welcome to stay.

24 MS. ANDERSON: Thank you.

1 MS. ROTTMANN: You're welcome. I'll be in
2 touch shortly.

3 MR. ANDERSON: Thank you.

4 MS. ROTTMANN: You're very welcome.

5 MR. ANDERSON: Have a Merry Christmas and
6 Happy New Year.

7 MS. KRUMM: Same to you.

8 MR. ANDERSON: Thank you.

9 CHAIRMAN VAN LAAR: Case No. 27-2017.

10 Joan, before you came in, we moved the
11 County down.

12 MS. KRUMM: Good idea. That's fine.

13 CHAIRMAN VAN LAAR: So we could let the
14 public go.

15 MS. KRUMM: That was a good idea. I was
16 here when you voted on it. You didn't see me come
17 in?

18 CHAIRMAN VAN LAAR: I saw you come in.

19 MS. KRUMM: After ten minutes you said,
20 Oh, Joan's here.

21 MS. ROTTMANN: She came in at 7:05, but,
22 yeah.

23 MS. KRUMM: You put that down, 7:05.

24 MS. ROTTMANN: All right, guys. So we

1 have the applicant, Boone County, 1212 Logan Avenue,
2 Belvidere, is requesting --

3 MS. KRUMM: What page are we on?

4 CHAIRMAN VAN LAAR: 57.

5 MS. KRUMM: Okay. Thank you.

6 MS. ROTTMANN: -- a text amendment. The
7 applicant would like to amend Chapter 3.14, US Route
8 20 Overlay District to Business 20 Overlay District.
9 So I want to start with talking about the
10 background, because I feel like that would make more
11 sense before going through the text amendment.

12 All right. So background and summary.
13 Back in the mid 2000's when a large rewrite of the
14 Boone County Zoning Ordinance was taking place, the
15 intent of the overlay district was for new
16 development occurring along Business Route 20
17 located in unincorporated Boone County to be
18 cohesive with the City of Belvidere. The overlay
19 district's standards require higher quality
20 architecture, parking restrictions, along with
21 limiting uses that are typically found within more
22 commercial areas. The goal was to transition this
23 area to standards that were present within the West
24 Hills Neighborhood Plan. The overlay district was

1 for Business Route 20 only, but was changed to both
2 Business Route 20 and US Route 20.

3 During the rewrite, the intentions were
4 positive from staff and elected officials to add the
5 this overlay district to Route 20. The economy was
6 booming and this overlay district would have helped
7 keep development cohesive. Almost ten years later,
8 little development has occurred along US Route 20.
9 Staff is of the opinion that these standards are
10 detrimental to the growth and development along this
11 thoroughfare where land use is mostly industrial and
12 rural. This is why we are requesting the removal of
13 the overlay district from US Route 20, along with
14 flip-flopping the titles of the design standards and
15 making a modification to 3.14.6.2.F to be more
16 cohesive with the requirements of the City of
17 Belvidere.

18 Okay. So I'm going to go through the
19 documents that I included in the attachments. So,
20 first, I want to start with -- the first -- so what
21 I did was, I started looking through -- this kind of
22 has come up a couple of times since I've been here
23 about the overlay district, so I wanted to learn
24 more about it. I went back to the giant file of the

1 rewrite that was done in 2008. And it started out
2 with emails that I found from Adam to the new
3 company that was going to provide us with assistance
4 where it starts off speaking only about that the
5 intention of this originally in 2005 was to just be
6 over Business Route 20. And then over the time
7 through PZB and ZBA, there were changes made to also
8 incorporate Route 20, and things have moved on from
9 there, and there just have been some -- I think that
10 there were some spelling or formatting issues where
11 I think the original title was supposed to be
12 Business or B1 and B2 requirements, and then I1, I2
13 requirements, but the titles are flip-flopped if you
14 look in the zoning. So they're more restrictive for
15 industrial and less restrictive for business. So I
16 talked to previous staff, Drew, Gina and the State's
17 Attorney about all of this, and we've come up with
18 that we do believe that the titles were switched.
19 The City of Belvidere has made a couple of changes
20 to their requirements, so I just changed them to be
21 similar cohesively with that for the industrial
22 portion.

23 And then going back to only having this
24 over Business 20. We've got on maps. I brought

1 maps up so that we can talk if anybody gets confused
2 about what we're talking about. So what we're
3 asking is to remove the overlay district from Route
4 20, so from Cherry Valley to Garden Prairie, keeping
5 Business Route 20 and flip-flopping the title
6 requirements. I think that if we are going to have
7 industrial development on Business or State Street,
8 that we're going to want it to be very high quality
9 anyway or anything on this we're going to want top
10 quality. So I think that this overlay district does
11 serve a purpose and it is for that area, and just
12 updating the requirements for the industrial portion
13 of the property cohesive with what the City requires
14 so we're not competing against each.

15 MS. KRUMM: I have a question.

16 MS. ROTTMANN: Yes.

17 MS. KRUMM: If you and Adam -- or who is
18 requesting this?

19 MS. ROTTMANN: So myself, Drew and the
20 State's Attorney have all gotten together to
21 discuss.

22 MS. KRUMM: Okay. And you three are
23 basically wanting to do this?

24 MS. ROTTMANN: Correct. We initiated

1 this.

2 MS. KRUMM: Okay. Now, what about the
3 overlay between Belvidere and Rockford, that part of
4 Business 20?

5 MS. ROTTMANN: We want to keep that. We
6 don't want to change that.

7 MS. KRUMM: Okay.

8 CHAIRMAN VAN LAAR: Up here (indicating)
9 on Business 20.

10 Business 20, they want to keep that
11 (indicating). They want to delete this, right?

12 MR. BLISS: Joan, the map over there
13 (indicating) shows the overlay districts really
14 well, I think. It's on there.

15 MS. ROTTMANN: It should be.

16 MS. KRUMM: Yeah, I've always thought
17 these overlay districts were really a nightmare.
18 Every time -- you know, whenever we got involved in
19 them. When I saw this was on here, I thought, gee,
20 this would have been a nice meeting to avoid. It's
21 terrible. I hate them. So if you want to get rid
22 of it, I think that's great. But why do you want to
23 keep the other one?

24 MS. ROTTMANN: I think that the intent is

1 still there that we would like to stay cohesive, and
2 I think that, you know, having that corridor have
3 high-quality commercial requirements I don't think
4 is detrimental. I think that would be -- that's
5 where we want it. And, you know, we're right where
6 Rockford is, and we're right where Belvidere is, so
7 I think having that development standard is still
8 okay.

9 MS. KRUMM: So do you not want it going
10 east?

11 MS. ROTTMANN: So why? I think that we
12 need to remove it from the Cherry Valley Route 20 to
13 Garden Prairie, I think that those standards are
14 just very inconsistent with what that area has
15 always been. We want that area to be more of an
16 industrial, and I think you kind of see the uses on
17 the map we have above is more --

18 MS. KRUMM: It's a desert, and getting
19 anything done in that area is not pretty.

20 MS. ROTTMANN: So, I mean, and do you
21 think that the Garden Prairie should have the same
22 standard? I mean, I think we should allow them to
23 develop or have an opportunity to develop on a scale
24 for them versus trying to make them look like

1 Rockford, you know what I mean?

2 MS. KRUMM: Right.

3 MS. ROTTMANN: I think that this could
4 potentially open up doors to maybe people would want
5 to do something. I want to give -- we haven't had
6 any real big developments along this corridor in the
7 past ten years. 2018 will mark ten years for this,
8 and the two that we have fought this, have fought
9 the overlay district along 20 -- or the couple that
10 we've had. There's Ceroni, the Evac, and then the
11 big one down at the corner in Garden Prairie,
12 they've all fought the overlay district. I mean, I
13 say why not give it a try? I think it will
14 potentially help us.

15 MR. SCHABACKER: Hilary, if this is to be
16 removed, will that in any way affect the zoning
17 along there, you know, with the businesses and other
18 items that are along that? Will it have any effect
19 on the existing uses?

20 MS. ROTTMANN: I don't think so. Do you
21 think so, Drew?

22 MR. BLISS: No.

23 MS. ROTTMANN: I don't think at all. I
24 think -- I mean, the comp plan says more kind of

1 industrial area over for this (indicating) area, and
2 Garden Prairie to be built up a little bit, but, you
3 know, in between there's a lot of agricultural,
4 rural stuff going on there.

5 MS. KRUMM: Is this part -- did this get
6 going because of the comprehensive plan?

7 MS. ROTTMANN: I started this because it
8 continuously comes up as a question. If people want
9 to buy and sell land or what they can do. I get
10 calls all the time about it. And people have no
11 interest in this overlay district and think it's
12 prohibitive all the time. So it's something that
13 I've been running into. It's something that I know,
14 looking back on documents that -- I think it was a
15 good idea for 2008. I mean, it was a way to
16 control. We were growing at a crazy pace, and it
17 was a good idea to try to cohesively make sure
18 everybody was following the rules. And I think at
19 this point, it's served its purpose, and I don't
20 think it -- we're never going to have that kind of
21 growth where we need to have that, I believe, on
22 that part of the road.

23 Drew, do you want to add any comments
24 about our changes?

1 MR. BLISS: No.

2 MR. SCHABACKER: Well, I think --

3 MR. BLISS: Hilary has done a wonderful
4 job summing everything up. Just going back to 2008
5 when these changes were implemented, the idea, I
6 think everybody was on board with the West Hills
7 Neighborhood development, the City and County
8 working together to come up with a cohesive plan.
9 But it was just kind of a shoot from the hip
10 decision to include the rest of US Route 20, without
11 any real consideration as to what we were getting
12 into. Again, we haven't been able to implement this
13 until recently, and the few times that we have, it
14 just -- it's been a real hindrance to getting
15 development done along that corridor, the US Route
16 20. So I'm in favor of keeping it for the West
17 Hills development but removing it from the other two
18 sections on US Route 20.

19 CHAIRMAN VAN LAAR: When you say that
20 there's been hindrances, people just are willing to
21 build, but then they just pull out? I mean, what
22 are the hindrances?

23 MR. BLISS: Well, there's two examples,
24 specific examples. One was the Evac building where

1 they did everything they could to keep jobs here in
2 Boone County and wanted to put an addition on, and
3 when they ran into the requirements for the overlay
4 district, they were about ready to leave.

5 CHAIRMAN VAN LAAR: Why didn't they come
6 for a variance?

7 MR. BLISS: They did. They did, and they
8 were granted a variance. But they were under a
9 really strict timeline. There's a lot to that
10 story, but that was one of them, and then the other
11 one was Ceroni, where in an industrial park, these
12 standards don't seem appropriate. And Steve Ceroni
13 was borderline on whether or not he was going to
14 locate his business here in Boone County.
15 Ultimately he did, but I think there was some give
16 and take on that project as well. I don't recall if
17 there were variances granted. I thought there were.

18 MS. ROTTMANN: There were.

19 MR. BLISS: Yes.

20 MS. ROTTMANN: There were some. It was
21 put together with their request. I can't remember
22 if there was -- there was a subdivision. There was
23 also, I think, maybe a special use or whatnot, but
24 in that process, there were changes made to the

1 landscaping requirements and some of the building
2 materials, because they said that they couldn't do
3 this or that for it. I mean, it's an industrial
4 use, why do we want to make it look commercial? I
5 think we're asking too much from somebody, you know.
6 We aren't like Glenview, and we aren't, you know,
7 Bartlett. We aren't these places that we can ask
8 that I feel like, you know what I mean? I think we
9 need to give and take a little bit more.

10 MR. SCHABACKER: I think the previous
11 planner had issues with that, too.

12 MS. ROTTMANN: Correct. And I also have a
13 letter in here from Gina in support of the changes,
14 so if anybody wanted to see that. She offered some
15 really good insight and that this was something that
16 had been something she wanted to work on as well but
17 just did not have the time when she was here.

18 MR. BLISS: And there was a third example
19 here just recently, there's a property along US
20 Route 20, kind of where 90 and 20 all come together.
21 There's a building owner that had a potential tenant
22 that wanted to locate an auto sales lot there.
23 That's a special use in the overlay district. The
24 potential tenant was not interested in going through

1 that process and he pulled out.

2 CHAIRMAN VAN LAAR: What side of 90?

3 MS. ROTTMANN: The Ipsen property.

4 Remember that property that was like half
5 residential and half industrial? It was a guy that
6 had a paint shop. Do you remember that?

7 MR. SCHABACKER: Thomas.

8 MS. ROTTMANN: Thomas, yeah. So he
9 rezoned it all to industrial, and then somebody was
10 like this would be a great place for a car
11 dealership, look at all this traffic I could get,
12 blah, blah, blah, but because the overlay district
13 is here, he's not essentially allowed to. He'd have
14 to jump through a lot of hoops for that use there.
15 But, honestly, I think that's a good use for that
16 property right there based on, you know, the traffic
17 flow, and that it is offset from 20, because it has
18 that like frontage road, so, I mean, it is -- it's
19 also safer, you know what I mean, than somebody
20 keeping turn off of the main road. So I just think
21 we could have -- we maybe missed a couple of
22 opportunities for something, and I just want to do
23 what I can to help economic development.

24 CHAIRMAN VAN LAAR: Two things. Evac,

1 where was that? Remind me again. Was that over --

2 MR. BLISS: Huntwood Industrial Park off
3 of Wheeler Road.

4 MR. SAVINO: That was a couple of years
5 ago.

6 MS. ROTTMANN: Over here (indicating),
7 right?

8 MR. BLISS: No, other side of 90. To the
9 west.

10 CHAIRMAN VAN LAAR: That (indicating) way.

11 MR. BLISS: Right.

12 MS. ROTTMANN: Oh, gosh, I'm sorry.

13 CHAIRMAN VAN LAAR: Nope, nope, there's
14 90.

15 MR. BLISS: See the red business district?
16 Go straight west from that.

17 MS. ROTTMANN: Oh, I see it. I see it. I
18 see it. I see it. Right (indicating) here.
19 Huntwood. So like kind of in it, but kind of not in
20 it.

21 CHAIRMAN VAN LAAR: So where was -- where
22 was this possible car lot?

23 MS. ROTTMANN: Oh, oh, oh, here
24 (indicating). This is the car lot that I was

1 talking about. The map just hasn't been updated
2 yet.

3 CHAIRMAN VAN LAAR: All right.

4 MS. ROTTMANN: And then this (indicating)
5 is Evac, right, this one?

6 MR. BLISS: Right.

7 MS. ROTTMANN: So part of the property is
8 in it, and part of it's not in the overlay district.
9 And they added an addition on to the back, too, so I
10 feel like --

11 CHAIRMAN VAN LAAR: And this is -- this
12 (indicating) was Ceroni up here, right?

13 MS. ROTTMANN: Correct. Ceroni is the one
14 in the corner, yeah, the corner lot.

15 MR. BLISS: There's also another issue.
16 If you look at that industrial park, there's one lot
17 left. So someone that's going to build on that lot
18 is going to be held to much higher standards than
19 the rest of those buildings in that industrial park,
20 and that's what -- that's what happened --

21 CHAIRMAN VAN LAAR: Because those
22 buildings came in before the overlay?

23 MS. ROTTMANN: Correct.

24 MR. BLISS: Correct. And that's what

1 happened to Evac there --

2 MR. SAVINO: Yeah.

3 MR. BLISS: -- the existing building was
4 built to the developer standard, I guess. And then
5 when they put the addition on, they were held to the
6 Route 20 overlay district standards where they had
7 to -- they were going to be required to put some
8 type of stone or brick on the building. There's not
9 a single building in that industrial park that has
10 brick on it. They were going to have to put brick
11 on an addition that nobody was going to see from the
12 road on a building that didn't have brick. So these
13 are real-life examples of why this is a problem.

14 CHAIRMAN VAN LAAR: Okay. Personally, I
15 agree that the Business 20 has to stay where it's at
16 just because it's just -- when you drive that, it
17 doesn't feel blue collar so to speak. And I don't
18 want to talk down on that, but I mean, it just
19 doesn't feel -- it feels more of an affluent --

20 MR. BLISS: It's supposed to develop to a
21 higher standard.

22 MS. ROTTMANN: Yes.

23 CHAIRMAN VAN LAAR: This (indicating)
24 other area, though, the reason I wanted to question

1 where that was is because I can see coming out of
2 Belvidere, you have Pacemaker in there, you have
3 other businesses, and all of a sudden it's going to
4 look pole barn-ish, if that's even a word. It
5 doesn't, to me -- it's going to look -- it
6 wouldn't -- personally, it would look too
7 patch-workie. I would like to see it stay -- it
8 continue to I-90.

9 MS. KRUMM: Okay.

10 CHAIRMAN VAN LAAR: And then anything west
11 of that, let it go, and here (indicating) too. I
12 mean, you have Walmart over here. You have the shoe
13 store. You have Applebee's, right, if I'm not
14 mistaken.

15 MS. ROTTMANN: Yep, that's right there.

16 CHAIRMAN VAN LAAR: Right in here
17 (indicating). I would like to see that carry to
18 Shattuck or something so you could continue to have
19 a good -- all of a sudden you don't leave
20 Applebee's, and it's just, there's no -- there's no
21 rhyme or reason to -- I mean, we have building codes
22 within this county, I agree, but to have a slightly
23 higher standard near the city hub would be something
24 that I would say I would like to see. But, like I

1 said, I can go either way. I want the county to
2 grow. I want businesses to come. It would be
3 interesting if we would keep that one spot on both
4 sides and see if the companies just go on the other
5 side, then we know that my way of thinking was wrong
6 type of thing. See what I'm saying? But that's
7 just -- and definitely I agree with flipping
8 these -- switching the titles.

9 MS. ROTTMANN: I think that might have
10 just been a formatting error from the beginning that
11 has been enforced.

12 CHAIRMAN VAN LAAR: Yes. Now, in saying
13 that, I don't see any industrial up on Bus. 20.

14 MS. ROTTMANN: Correct. There isn't any.
15 I'm just saying, what we have for the comp plan, but
16 that's the intent of the overlay district was mostly
17 just for business and commercial purposes. I think
18 they added the industrial portion to it, because
19 they added Route 20 in it, you know what I mean?

20 CHAIRMAN VAN LAAR: Yes.

21 MS. ROTTMANN: That they added that, so
22 they had to have standards for industrial then now,
23 too. I think all the intentions were good, like,
24 yeah, we want to make sure we get it all a certain

1 way, like it, you know. The City has actually
2 modified their portions of this as well to be a
3 little less restrictive when they have, like on,
4 down over here on their parts of where the City has
5 their 20 overlay or whatnot.

6 MR. SAVINO: So, Brian, your
7 recommendation is to leave it like from Farmington
8 Road --

9 CHAIRMAN VAN LAAR: To Shattuck.

10 MR. SAVINO: -- west?

11 CHAIRMAN VAN LAAR: Oh, west?

12 MR. SAVINO: Or you're saying going
13 further east yet to Shattuck. Not stopping at
14 Walmart but going further east yet?

15 MS. ROTTMANN: He was saying from this
16 (indicating) Shattuck, to this area.

17 CHAIRMAN VAN LAAR: Shattuck, yeah, is
18 right here (indicating).

19 MS. KRUMM: That is Shattuck right there,
20 yeah.

21 CHAIRMAN VAN LAAR: Because, I mean,
22 you've got development on Logan, you know, you have
23 like a Blaine's and you have those other things, but
24 I don't know all of that development on Logan would

1 not have complied to these --

2 MS. ROTTMANN: Correct.

3 CHAIRMAN VAN LAAR: -- these standards,
4 would they?

5 MS. ROTTMANN: Nothing has been -- there's
6 only been two developments on Route 20, and that has
7 been Evac and Ceroni in the ten years that this
8 overlay district has been for the unincorporated
9 portions of Boone County.

10 CHAIRMAN VAN LAAR: Yeah. I can go either
11 way. It was just a thought.

12 MR. SAVINO: Yeah.

13 MS. ROTTMANN: I wrote your thoughts down.

14 CHAIRMAN VAN LAAR: Yeah. It's just
15 basically from I-90 to Shattuck. I-90 to the west,
16 Shattuck to the east. And maybe Shattuck is too
17 far. Maybe it's just to Farmington.

18 MR. SAVINO: So if we deleted it all,
19 somebody could come in Walmart or whatever that
20 little green patch just to the left where -- see
21 where it says ramp?

22 MS. ROTTMANN: This (indicating) one?

23 MR. SAVINO: Somebody can come there and
24 develop whatever they want? Well, it's not in an

1 overlay, is it?

2 MS. ROTTMANN: Yeah. It's not in the
3 overlay. But do you remember that different uses
4 have different requirements, and like when it comes
5 to landscaping and parking, all of those things we
6 have requirements for, you know what I mean?

7 CHAIRMAN VAN LAAR: And somebody like an
8 Applebee's is not going to change their store to
9 make it --

10 MS. ROTTMANN: They're not going to put a
11 pole barn up, you know what I mean?

12 CHAIRMAN VAN LAAR: No, no. And I think,
13 you know, at one time before the downturn, wasn't
14 there like, what was that, Holiday Inn Express
15 looking at something like right in here
16 (indicating), something like that I heard from Bob
17 at one point?

18 MR. SCHABACKER: They were looking at that
19 corner south of Walmart.

20 CHAIRMAN VAN LAAR: Where, right here
21 (indicating)?

22 MR. SCHABACKER: Yeah, almost where your
23 shadow is.

24 CHAIRMAN VAN LAAR: Right here

1 (indicating).

2 MR. SCHABACKER: Yeah, a little more to
3 your right. To your right --

4 CHAIRMAN VAN LAAR: (Indicating.)

5 MR. SCHABACKER: Yeah, up higher, in that
6 area.

7 CHAIRMAN VAN LAAR: Oh, which is now a big
8 flood pit. Retention pond.

9 MR. SCHABACKER: Yeah, that's where it
10 was, because they were talking about jumping off
11 I-90 and have it right there.

12 CHAIRMAN VAN LAAR: I see. But once
13 again, I guess, I'm trying to talk myself through
14 this.

15 MS. ROTTMANN: I feel like If we have a
16 lot of people coming over, let's have that problem.

17 CHAIRMAN VAN LAAR: Yeah.

18 MS. ROTTMANN: Let's have that problem.

19 CHAIRMAN VAN LAAR: Holiday Express
20 wouldn't change their design.

21 MR. SAVINO: Just because they could.

22 CHAIRMAN VAN LAAR: Just because they
23 could. They wouldn't.

24 MS. ROTTMANN: I see what you're saying.

1 A corporate business is going to have a presence
2 that they want to keep unified, you know, if that's
3 what they choose. And I feel like if we have a lot
4 of development, we can negotiate these things.

5 CHAIRMAN VAN LAAR: And normally a
6 corporation is going to want to look good from the
7 street as well. They're not going to want to look
8 shabby. You just don't want to do that. You would
9 think.

10 MS. KRUMM: You would think they would
11 want to do some building here.

12 MS. ROTTMANN: But then it's like maybe a
13 small person that wants to open a business, this
14 gives them an opportunity here, you know what I'm
15 saying, that they can afford -- I don't know. I'm
16 just saying this could potentially, you know,
17 businesses grow when they start in their homes, you
18 know what I mean, when they start in a local area,
19 that's how they grow.

20 MR. SAVINO: So would you recommend
21 removing all of it?

22 MS. ROTTMANN: My recommendation is
23 removing all of it from US 20 so that this -- this
24 section of the code is called Business 20 Overlay

1 District, and is only applicable to Business Route
2 20 Overlay District. If you guys disagree with
3 that, feel free --

4 CHAIRMAN VAN LAAR: What did the PZB say?

5 MS. ROTTMANN: Planning commission doesn't
6 see this based on how the State's Attorney --

7 CHAIRMAN VAN LAAR: No, the PZB --

8 MR. BLISS: They haven't seen it.

9 MS. ROTTMANN: They haven't seen it yet.
10 They see it January.

11 CHAIRMAN VAN LAAR: Okay. Okay. So this
12 is coming basically from staff, from planning. I
13 thought this might have come through PZB a little
14 bit something --

15 MS. ROTTMANN: No, staff is allowed to
16 initiate text amendments, so I just -- I went for
17 it. And if there's a lot of pushback, there's a lot
18 of pushback. I had one person questioning this, but
19 not a lot of people, not a lot of responses. I
20 mean, all the township supervisors, commissioners,
21 fire districts, like everybody was notified about
22 this. I'm really surprised that there weren't more
23 people here tonight. But then again, it's the
24 holiday, so I don't know.

1 CHAIRMAN VAN LAAR: Yeah. I know my son
2 up in Elroy, he's -- you know, it's not going to
3 really bother them.

4 MS. ROTTMANN: I know, but I'm just
5 saying, there were -- I did notify everybody. I
6 notified the City as well so that they could
7 potentially provide feedback if they wanted to on
8 this. Crickets.

9 MS. KRUMM: I think it's a good idea.

10 MR. SAVINO: Do you see anything, Steve?

11 MR. SCHABACKER: No. I can see why --
12 well, have you seen any -- and I know you've been
13 here a short time. Can you point to any benefits
14 that you're aware of with this overlay district
15 being there in the past?

16 MS. ROTTMANN: Meaning if we keep it, what
17 are the benefits?

18 MR. SCHABACKER: What I'm saying is, have
19 you seen any benefits that have been beneficial
20 since it's been in place along there?

21 MS. ROTTMANN: Well, I mean, we made sure
22 that Spencer, I mean, that's for Business 20, but we
23 made sure Spencer had some design criteria that we
24 wanted to be applicable to, and I still think that

1 that should be held accountable for on that portion
2 of Business 20. But when it comes to the Route 20,
3 I don't really have any examples, because I have --
4 nobody has come forward really with wanting to
5 pursue something. I know that -- I told you next
6 month we have a case that wants to buy one of these
7 older properties over here (indicating) -- over
8 here. I can't remember which one of these little
9 ones over here that are like houses, but all the
10 comp plan says industrial over here, and they want
11 to use it to kind of do like a Chemlawn or -- what
12 do you call it? TruGreen, kind of like a service.
13 That's what they want to run there. So it's just
14 kind of place to park stuff. But he wants to buy
15 this and turn it into an industrial, you know,
16 building, he wants to modify it and use it for an
17 industrial purpose, but this overlay district
18 doesn't really allow him. It makes him have to do a
19 lot, you know.

20 MR. SCHABACKER: So from your experience
21 so far, do you think maybe -- I want to word it
22 correctly -- it's somewhat of a handicap --

23 MS. ROTTMANN: I think it can hurt some of
24 the people that want to start small businesses or

1 want to be a part of our community.

2 MR. SCHABACKER: We have regulations in
3 the zoning for landscaping and stuff without this.

4 MS. ROTTMANN: Absolutely. Absolutely.

5 MR. SCHABACKER: So it's not like the door
6 is wide open --

7 MS. ROTTMANN: Correct.

8 MR. SCHABACKER: -- there's still criteria
9 for developers on existing land.

10 MS. ROTTMANN: I mean, different zoning
11 districts have lot size requirements. We have
12 landscaping and parking --

13 MR. SCHABACKER: I would agree with that.
14 I just don't see the benefit at this time with my
15 two eyes. I just don't see the benefit.

16 CHAIRMAN VAN LAAR: Is there a different
17 street off the street setback between -- do you
18 remember Spencer wanted 30, and he needed 75.

19 MS. ROTTMANN: No, that was just a
20 variance in general that he was requesting.

21 CHAIRMAN VAN LAAR: Yes, but a variance --
22 a County variance and not an overlay variance with a
23 75 foot, 30 feet.

24 MS. ROTTMANN: Correct. So that -- he

1 asked for a variance from the road setback, the
2 front yard setback, but he asked for appeals from
3 the requirements of the overlay district for
4 originally landscaping materials and something else,
5 and I can't remember what that something else was
6 right off the top of my head.

7 CHAIRMAN VAN LAAR: That's right. We
8 granted the appeals, but we did not grant the
9 setback.

10 MS. ROTTMANN: Variance. Correct.

11 CHAIRMAN VAN LAAR: Variance.

12 MS. KRUMM: What happened to that case?

13 MS. ROTTMANN: That case, they're trucking
14 along.

15 MR. BLISS: I have the plans in my office
16 for the buildings.

17 MS. ROTTMANN: And they've been doing some
18 excavating and stuff over there.

19 CHAIRMAN VAN LAAR: They're moving along.

20 MS. KRUMM: I thought so.

21 MR. SCHABACKER: That's Spencer Hammer?

22 MS. ROTTMANN: Correct.

23 CHAIRMAN VAN LAAR: So I guess from that
24 standpoint, if there's, you know, if the overlay

1 district would impose a better setback, but it
2 doesn't --

3 MS. ROTTMANN: Nope. The setbacks would
4 still be the same.

5 CHAIRMAN VAN LAAR: Still be the same, so
6 I'm fine.

7 MS. ROTTMANN: It's only -- the overlay
8 district is more for building materials and
9 esthetics of what that building or that use is going
10 to look like. I don't see Business 20 looking like
11 downtown Rockford, you know, downtown State Street
12 or -- I just don't see that happening. Or Randall
13 Road. I mean, it's not going to happen like that,
14 you know.

15 CHAIRMAN VAN LAAR: It's not, because you
16 have Chrysler there.

17 MS. ROTTMANN: I know. I'm just saying
18 those would be examples of what I think --

19 CHAIRMAN VAN LAAR: You're not going to
20 have a Randall Road right next to Chrysler, you
21 know, so -- yeah. I am for --

22 MS. ROTTMANN: All right.

23 CHAIRMAN VAN LAAR: So where are we at in
24 this?

1 MR. SAVINO: Staff just presented.

2 MS. ROTTMANN: Yeah, I guess --

3 CHAIRMAN VAN LAAR: Staff just presented,
4 and I think we had discussion on it. We can
5 certainly close the public hearing. I will move to
6 close the public hearing on Case No. 27-2017.

7 MR. SCHABACKER: Second.

8 MR. SAVINO: Do you want a motion?

9 CHAIRMAN VAN LAAR: I need a motion to --

10 MR. SAVINO: I'll make that motion. You
11 keep chairing.

12 CHAIRMAN VAN LAAR: Okay. Did I say I
13 make a motion?

14 MR. SAVINO: Yeah, so I just was
15 clarifying that I heard you.

16 MR. SCHABACKER: Yeah.

17 CHAIRMAN VAN LAAR: Motion Savino,
18 seconded Schabacker. Call me out once again.
19 Thanks, guys.

20 MS. KRUMM: So are we going to go through
21 this whole thing or no? The wording.

22 CHAIRMAN VAN LAAR: No. We have a motion
23 on the table to close public hearing.

24 MS. KRUMM: We never even got to this,

1 that's why I'm asking.

2 MS. ROTTMANN: We can discuss it.

3 CHAIRMAN VAN LAAR: We can discuss it.

4 MS. ROTTMANN: There's nobody here.

5 CHAIRMAN VAN LAAR: The public hearing
6 is -- well, yes.

7 MR. SAVINO: We just closed the public
8 hearing for the questions, but during the motion if
9 we need to discuss anything else --

10 CHAIRMAN VAN LAAR: Yep.

11 MR. SAVINO: -- we can.

12 MS. KRUMM: I just wanted to know if we
13 were going to do this, that's all.

14 CHAIRMAN VAN LAAR: We are. We're going
15 to look at this.

16 MS. KRUMM: All right.

17 CHAIRMAN VAN LAAR: So let's -- public
18 hearing, I've got a motion, a second. All those in
19 favor say aye.

20 (Whereupon, all the ayes were
21 heard.)

22 CHAIRMAN VAN LAAR: All those opposed?

23 (Whereupon, no nays were heard.)

24 CHAIRMAN VAN LAAR: Motion carries.

1 Public hearing is closed.

2 MS. ROTTMANN: Okay. I'm happy to walk
3 through the changes. So changing the title from US
4 Highway to Business Route 20. Changing -- that's a
5 lot of just changing US Highway to Business 20. We
6 also are changing the location of where the overlay
7 district is. So between Beloit Road and Winnebago
8 County line. And we said Beloit Road because if
9 anything ever happens jurisdictionally with those
10 properties along over here (indicating), that they
11 still have to comply between this area, you know
12 what I mean? We don't want to cut out and say Town
13 Hall. We want to make sure that it goes down past
14 Town Hall. So that's why Beloit Road was chosen,
15 because people were questioning that. So that was
16 the thought process. If you want to change it, feel
17 free. So it's just changing those.

18 Then we go down to development standards
19 where the first section, we're changing it where
20 originally it said Industrial 1, Industrial 2
21 standards, and changing the title of this entire
22 section to be B1 and B2.

23 And then moving on to design criteria from
24 where it originally said B1, B2, to now light

1 industrial one, general industrial I2. And down on
2 to the industrial portion, making a small edit to F,
3 the metal siding requirements. And this section is
4 what recently the City has changed about theirs, so
5 I thought it would be a good idea just to be
6 cohesive so that we're not competing with each other
7 when it comes to -- if this becomes something to
8 fight about.

9 But those are really the changes that have
10 been made. It's just changing the title, changing
11 where it starts, where it ends, and then flipping
12 the titles to what I believe the original intent
13 was, it was just formatted -- it was not formatted
14 correctly or moved, you know, adopted correctly or
15 whatnot, however you want to say that.

16 CHAIRMAN VAN LAAR: Why don't we just take
17 industrial right out if it only applies to Business
18 20?

19 MS. ROTTMANN: So you would like to remove
20 the entire --

21 CHAIRMAN VAN LAAR: No. 2.

22 MS. ROTTMANN: Yeah, entirely No. 2?

23 CHAIRMAN VAN LAAR: If this goes through,
24 and it's only for Bus. 20, there's no industrial out

1 there, and most likely will never be industrial out
2 there.

3 MS. ROTTMANN: This is correct.

4 MR. BLISS: Couldn't somebody
5 realistically rezone property to industrial and then
6 not have any of these standards at all?

7 CHAIRMAN VAN LAAR: They could try.

8 MS. ROTTMANN: They could try.

9 CHAIRMAN VAN LAAR: Steve could do it.

10 MR. SCHABACKER: That's right.

11 MS. ROTTMANN: We could take it out. We
12 might want to be safe just so that we --

13 MR. SCHABACKER: Leave it in.

14 MS. ROTTMANN: Yeah, just to be safe. In
15 case, you never know --

16 MR. SAVINO: That's true.

17 MS. ROTTMANN: Because like the quarry
18 over here is more of an industrial use, you know
19 what I'm saying? If this -- something happens over
20 here with whatever, who knows. They're a quarry in
21 an A-1, so . . .

22 MR. SAVINO: I didn't -- I wasn't on. I
23 didn't grant that one.

24 MS. ROTTMANN: Oh, no, I'm just saying, I

1 don't know what the future is with whatever is going
2 on there.

3 MR. SAVINO: I'm just kidding. I'm just
4 kidding.

5 MS. ROTTMANN: So I don't know if you have
6 any questions about what was proposed.

7 MR. SAVINO: I understand --

8 CHAIRMAN VAN LAAR: Joan, what do you
9 think about the wording?

10 MS. KRUMM: I think it -- I'm fine with
11 it.

12 CHAIRMAN VAN LAAR: You're fine with it?

13 MS. KRUMM: Uh-huh. I'm fine with the
14 changes, and I think we need to.

15 CHAIRMAN VAN LAAR: Yes. There are no
16 findings of fact.

17 MR. SAVINO: Nope.

18 CHAIRMAN VAN LAAR: So the hearing is
19 closed. We had this discussion, discussion on
20 wording, discussion on, you know, what we're
21 thinking, and so really the next phase would be
22 to -- to vote on it. So any further discussion?

23 MS. KRUMM: I think you're to be commended
24 for doing this. It's really very good.

1 MS. ROTTMANN: Thank you.

2 CHAIRMAN VAN LAAR: She was looking at me,
3 but she meant it for you.

4 MS. KRUMM: No, I wasn't looking at you.

5 MS. ROTTMANN: I'm just trying to do what
6 I can, the little things to try and help us out.

7 MS. KRUMM: I still have that question,
8 does this have anything to do with comprehensive
9 plan? Why are you getting into it?

10 MS. ROTTMANN: No, it's just something
11 that we could tackle now, you know.

12 MS. KRUMM: Okay.

13 MS. ROTTMANN: I think that if we continue
14 or people let me submit applications, I might keep
15 moving different things. There are some issues that
16 the State's Attorney has with some of the just
17 wordings of things. She said we just really need to
18 make that better, because if we're ever asked, we
19 might have issues with certain --

20 MS. KRUMM: The problem was when we went
21 through the comprehensive plan, I don't know if you
22 guys were here, some of you might have been, but
23 they just kind of crammed us through a lot of stuff
24 because of the Chicago group that was working with

1 us, and it fit for them, but it didn't necessarily
2 fit for Boone County. It kind of came in as a
3 swoosh.

4 MS. ROTTMANN: Yeah.

5 MS. KRUMM: And so I would imagine there's
6 a lot of things that you'll be busy dealing with.

7 MS. ROTTMANN: I do have lots of ideas.

8 CHAIRMAN VAN LAAR: Great. Great.

9 MS. ROTTMANN: So we'll see where we go or
10 how far I can get.

11 CHAIRMAN VAN LAAR: So do I have a motion
12 to accept Case No. 27-2017?

13 MS. KRUMM: So moved.

14 THE COURT: Motion by Krumm. Seconded by
15 Savino.

16 MR. SAVINO: That's fine.

17 MR. SCHABACKER: He raised his hand.

18 CHAIRMAN VAN LAAR: Seconded by Savino.

19 MS. ROTTMANN: All right. Roll call?

20 CHAIRMAN VAN LAAR: Any discussion?

21 (No response.)

22 CHAIRMAN VAN LAAR: Roll call.

23 MS. ROTTMANN: Rhode?

24 (No response.)

1 MS. ROTTMANN: Van Laar?

2 CHAIRMAN VAN LAAR: Yes.

3 MS. ROTTMANN: Savino?

4 MR. SAVINO: Yes.

5 MS. ROTTMANN: Schabacker?

6 MR. SCHABACKER: Yes.

7 MS. ROTTMANN: Krumm?

8 MS. KRUMM: Yes.

9 CHAIRMAN VAN LAAR: Motion carries.

10 MS. ROTTMANN: All right. One last thing
11 before we head home, everybody. Giving you guys an
12 update. So we will have a meeting next month. I
13 have two cases already for us, but what I wanted to
14 tell you guys, I didn't really tell you that we
15 could do this because we were concerned that we
16 weren't getting into the high schools, but Ben and I
17 got into the high schools, and we talked to the kids
18 about the comprehensive plan and what kind of land
19 uses they liked, what they liked, what they didn't
20 like. So I just wanted to go over some of the --
21 couple things. We talked to about 101 kids between
22 Belvidere North and Belvidere High School, District
23 200, just wanted to do a survey, which we got about
24 75 responses from. So the next generation, which is

1 Generation X --

2 CHAIRMAN VAN LAAR: They wanted cell
3 towers on their property.

4 MS. ROTTMANN: They think the next ten
5 years improving the overall health of residents,
6 having and maintaining high-quality public safety
7 services, and improving the education levels of
8 adults, teenagers and children should be the most
9 important goals for us. Over 50 percent are not
10 planning to live in Boone County after high school
11 or college graduation, citing the biggest concerns
12 that there's lack of jobs here and that they
13 wouldn't be able to afford the types of housing that
14 are available currently.

15 When asked where students would like to
16 move after high school, most of them said the
17 Chicago suburb areas or southern and western states.

18 Rural neighbors and city-based
19 neighborhoods, one plus acre and half acre
20 residential lots are the preferred type of
21 residential development that the students want to
22 live in later in life. Between 60 and -- between 50
23 and 60 students would not attend a community college
24 or technical school if there was one located, so

1 like a Rock Valley this year. A lot of them said
2 they wouldn't go, which was surprising to us. They
3 were not interested in going to school here.

4 The most liked thing about Boone County
5 and Belvidere are the rural character, restaurant
6 options, feeling safe and having the recreational
7 spaces. So they really like the conservation areas.

8 Most desired changes for the next ten
9 years for Boone County and Belvidere, biking and
10 walking options, increased restaurants, retail
11 attractions, events and places to hang out.

12 They really, really were concerned about
13 lighting at intersections either in rural areas and
14 in the city limits, and they just said there's not a
15 lot of places for underage kids to hang out and do
16 anything. So those were kind of why would I bring
17 my family back here if I didn't have a lot of places
18 to go.

19 So those were the responses that we were
20 getting. So they were pretty honest, and we're
21 going to use some of their information moving
22 forward in our process. We just didn't know if we
23 were actually going to be able to get this done, so
24 that's why we didn't put it as a goal in case we

1 weren't able to meet it in this process.

2 MR. SCHABACKER: I think a lot of those
3 things have been that way for years. When I, a long
4 time ago when I was in Belvidere, we didn't have
5 anything to do, we're not going to grow up here, you
6 know, we're not going to stay here. I remember
7 that. I remember my kids talking about that. So I
8 think some of that is just the nature of the
9 situation.

10 MS. KRUMM: The nature of kids.

11 MR. SCHABACKER: Nature of kids. And I
12 think this is all good, the feedback you got, I
13 think within that you've also got to take a little
14 bit of life experiences that they've had and haven't
15 had. We certainly don't hold all the cards, but I
16 like to hear what you had to say, but I think when
17 you listen to that, you add a little bit of
18 background on some of those issues of the past, you
19 see a lot similarities.

20 MS. ROTTMANN: Oh, absolutely. Not
21 discounting that their voices will be weighed one
22 way or the other, it's just another group that we
23 weren't able to get at the workshops, you know, just
24 to voice, just to hear that population.

1 MR. SCHABACKER: Yeah, good.

2 MS. KRUMM: Some of them will come back
3 here because they'll say, Oh, that was pretty nice,
4 once they get out there and see what else there is.

5 MS. ROTTMANN: That's all I have for you
6 guys.

7 MS. KRUMM: Do you want a motion?

8 CHAIRMAN VAN LAAR: Anything, guys, that
9 you guys have?

10 MS. KRUMM: I move we close and adjourn.

11 CHAIRMAN VAN LAAR: Motion by Krumm to
12 close. Second by --

13 MR. SCHABACKER: Schabacker.

14 CHAIRMAN VAN LAAR: Schabacker. Any
15 discussion?

16 (No response.)

17 CHAIRMAN VAN LAAR: All in favor say aye.

18 (Whereupon, all the ayes were
19 heard.)

20 CHAIRMAN VAN LAAR: All opposed?

21 (Whereupon, no nays were heard.)

22 CHAIRMAN VAN LAAR: Motion carriers. We
23 are adjourned for 2017.

24 (Whereupon, the hearing was

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concluded.)

1 STATE OF ILLINOIS)
2 COUNTY OF WINNEBAGO) SS
3)

4 I, Margaret Ciembronowicz, Certified Shorthand
5 Reporter in and for the State of Illinois, County of Boone,
6 do hereby certify that on December 27, 2017; I reported the
7 proceedings had in the above-entitled matter and that the
8 same is a true, correct, and complete transcription of said
9 proceedings held on said date.

10 Dated this 18th day of January, 2018.

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Margaret M. Ciembronowicz
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Certified Shorthand Reporter
License No. 084-003833