

Minutes of the Land Use and Development Committee

The Land Use and Development Committee of the McLean County Board met on January 8, 2004 at 5:30 p.m. in Room 700, Law and Justice Center, 104 W. Front Street, Bloomington, Illinois.

Members Present: Chairman Gordon, Members, Ahart, Cavallini
Rackauskas, Segobiano and Kalapp

Members Absent: None

Other Board Members Present: None

Staff Present: Ms. Christine Northcutt, County Administrator's
Assistant

Department Heads/
Elected Officials
Present: Mr. Phil Dick, Director, Building and Zoning

Others Present: Ms. Christine Brauer, McLean County Regional
Planning Commission; Mr. Frank Miles; Mr.
Don Atchison and Ms. Betty Atchison; Ms. Ann
Turner, Mr. Ralph Turner

Chairman Gordon called the meeting to order at 5:30 p.m.

Chairman Gordon stated that the first order of business is the approval of the December 4, 2003 minutes. Hearing no corrections, Chairman Gordon placed the Land Use and Development Committee minutes of December 4, 2003 on file as presented.

Chairman Gordon presented the bills from December 31, 2003 which have been reviewed and recommended for transmittal to the Land Use and Development Committee by the County Auditor. The total is \$35,940.31 with the prepaid total being the same.

Motion by Cavallini/Rackauskas to recommend approval of the bills as presented by the County Auditor. Motion carried.

Chairman Gordon presented the first item for action which is a request by Mr. Don Atchison and Ms. Betty Atchison for a waiver of preliminary plan requirements and a two lot final subdivision plat for the Atchison's Subdivision, File No. S-03-16. Chairman Gordon stated that he would turn this over to Mr. Phil Dick, Director, Building and Zoning. Mr. Dick stated that this plat is currently one lot and the applicants wish to set aside a second lot so that another dwelling can be built. Mr. Dick informed the Committee that the County Highway Department has signed off on this request and the plat access certificate has been signed by the Old Town Township Road Commissioner. The County Health Department has signed off on the existing septic system and a new septic permit will need to be issued before an additional house can be built. Mr. Dick noted that the applicants are present if there are any questions. Chairman Gordon noted that the Chair will vote.

Motion by Segobiano/Ahart to recommend approval of waiver of preliminary plan requirements and a two lot final subdivision plat for the Atchison's Subdivision, File No. S-03-16. Motion carried.

Chairman Gordon stated that the second item for action is a request by Ms. Ann Turner, Trustee, Katherine E. Turner Trust, for a waiver of preliminary plan requirements and a three lot subdivision plat for the Turner Family Subdivision, File No. S-03-17. Chairman Gordon asked Mr. Dick to present this item. Mr. Dick passed out an aerial photograph of the property. Mr. Dick explained that there are two houses on the property, and the applicants would like to add another dwelling on lot 2 of the property. Mr. Dick noted that the County Health Department has signed off on the septic systems on lot 1 and lot 3. The Road Commissioner has submitted the plat access certificate and the County Highway Department has reviewed this subdivision and signed off on it. Mr. Dick informed the Committee that the applicants and their representative are present at the meeting if the Committee has any questions. Ms. Ahart asked where the access to the proposed dwelling comes from. Mr. Dick replied that it will come off of County Highway 38. Chairman Gordon advised that the Chair will vote.

Motion by Segobiano/Cavallini to recommend approval of waiver of a preliminary plan requirements and a three lot subdivision plat for the Turner Family Subdivision, File No. S-03-17. Motion carried.

Chairman Gordon stated that the next item is a discussion of a Committee – Zoning Enforcement work session. Chairman Gordon asked Mr. Dick if he could bring the Committee up to date on the topic. Mr. Dick stated that he had been in contact with Mr. John Zeunik, County Administrator. Mr. Dick stated that Mr. Zeunik had indicated that a good time for the work session may be immediately following a County Board Meeting. Mr. Dick stated that Ms. Sally Rudolph, Chair of the Zoning Board of Appeals (ZBA) has requested that all ZBA members be invited to this work session. Mr. Dick informed the Committee that the ZBA discussed this item at their last meeting. Six of the seven members are available after the Tuesday, February 17th County Board Meeting. Mr. Dick stated that State's Attorney, Bill Yoder indicated that he can make that meeting as well. Chairman Gordon asked if Mr. Brian Hug, Assistant State's Attorney could be invited to this meeting also. Mr. Dick replied that he has spoken to Mr. Yoder and Mr. Yoder commented that he would want Mr. Hug to attend. Mr. Dick stated that he will provide the Committee and the ZBA Members with data regarding violations over the last several years.

Mr. Dick stated that he and Mr. Yoder have spoken about the possibility of establishing an Administrative Adjudication process. Mr. Dick stated that this is a possibility that we would like to explore at this meeting. Mr. Segobiano asked if Mr. Dick could provide the Committee with a list of past violations and site, for example, which violations could be pursued in this manner. Mr. Dick said that he would prepare that information. Mr. Dick said that he has also obtained the template of the Resolution that Peoria County's created to put Administrative Adjudication into place and formatted it for McLean County's use. Mr. Dick advised that he would send a sample copy of that out with the information packets. Ms. Rackauskas asked if Mr. Dick would include in the packets, the procedures that are currently taken when violations occur. Mr. Dick stated that he will include that information as well. Mr. Dick informed the Committee that 80% - 95% of the public do adhere to the regulations. It is a select few who are not in compliance.

Chairman Gordon stated that his conversation with Ms. Rudolph addressed the fact that there is a variety in the severity of violations which the ZBA deals with. Chairman Gordon stated that Ms. Rudolph mentioned that the work session should cover everything from junk car issues to major violations.

Ms. Rackauskas asked how the City of Bloomington and Town of Normal deal with violations. Mr. Dick replied that the City of Bloomington and the Town of Normal pursue issues in court more rigorously than does the County because they have the power of "Home Rule". Mr. Dick stated that is a question that should be asked and addressed by the State's Attorney's Office during the proposed work session.

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Chairman Gordon stated that Mr. Dick probably has a good idea of the type of information that the Committee is looking to discuss during this work session. He asked Mr. Dick to please prepare a packet and to include the ZBA members in that mailing. Mr. Dick replied that he would prepare that information for the meeting.

Chairman Gordon stated that the only other item that he wanted to address this evening is the time of the Committee meeting. Chairman Gordon noted that the question has been raised as to whether the meeting time could be moved back to 4:30 p.m. Ms. Rackauskas replied that it would be better for her if it were scheduled for 4:45 p.m. The Committee agreed. Ms. Rackauskas stated that after February she may be able to make a 4:30 p.m. meeting time. Chairman Gordon stated that the Committee can address the issue again after the completion of Ms. Rackauskas' class.

Mr. Segobiano stated that he read an article regarding farmland preservation in the *Public Policy Perspectives* published by Northern Illinois University. Mr. Segobiano asked Mr. Dick if he could prepare a synopsis on the article to present to the Committee. Mr. Segobiano stated that he feels the Committee should think about becoming more involved in farmland preservation. Ms. Rackauskas stated that being a member of the Bloomington Planning Commission, she is invited to seminars held by the U of I on farmland preservation and other related topics. She noted that, perhaps, Mr. Dick could inform the Land Use and Development Committee members about these conferences when they are offered. Mr. Dick stated that U of I is holding a Planning Institute on March 4-5, 2003. Mr. Dick also stated that he is the Regional Coordinator for the American Planning Association and he will be planning an annual seminar this spring as well. Mr. Dick stated that he will find out more information about the March planning institute and will keep the Committee abreast of others conferences that are offered. Mr. Dick also noted that the County has always had strong policies toward farmland preservations, but the Town of Normal and the City of Bloomington have not adopted any of them.

There being no further business to come before the Committee, Chairman Gordon adjourned the meeting at 6:20 p.m.

Respectfully submitted,

Christine Northcutt
Recording Secretary