APPLICATION FOR **SPECIAL USE** UNDER THE REGULATIONS OF THE Mc LEAN COUNTY ZONING ORDINANCE

APPLICANT

NAME: DAVID J. LANDER
ADDRESS: KAREN STAILEY-LANDER
9 STARLIGHT CT
BLOOMINGTON IL 61704
PHONE: - home: 309 275-5420 work: 309 275-5414
KAREN@LANDER1.com

OWNER

NAME: Same
ADDRESS: DAVID@LANDER1.com

ATTORNEY

NAME:
ADDRESS:
PHONE: - home: work:

FOR OFFICIAL USE ONLY

CASE NO. SU-18-13

FILING FEE $ 450-
RECEIPT NO. 8549
PUB. COSTS $
RECEIPT NO.
HEARING DATE 7-3-18
HEARING TIME 7:00 p.m.
DECISION DATE 7-17-18

RECEIVED
MAY 30 2018
ZONING

FILE STAMP

PROPERTY INFORMATION

Permanent Parcel No. 36-07-400-003

Property Interest Owner

Zoning District Agriculture

Acreage 4.13

Present Use Vacant

	Yes	No
Has the site been cultivated before?	☐	☐
Does the site have frontage on existing public road?	☐	☐
Are you requesting any new driveway(s)?	☐	☐
The next question applies to Single Family Residential Special Use:		
Are you requesting approval for any future customary accessory buildings?	☐	☐

SPECIAL USE INFORMATION

A special use is requested to allow the property described above to be used as: a single family residence in the Ag. District on the undesirable criteria.

☐ A previous special use has not been filed for the described property.

☑ Legal description attached. *(Application shall be submitted with a copy of the property legal description.)*

☒ A previous special use was requested for the described property.
Such request use was made on DEC 12, 2005 (Date), and GRANTED (Granted or Denied) in SU-05-25, SU-09-02 (Case Number)
MARCH 3 2009 GRANTED

ADDITIONAL INFORMATION

Attachment No. 1: A plat drawn to scale showing the actual size and shape of the lot or property; location, ground area dimensions, and identification of use of all (existing and proposed) buildings, structures, driveways, parking areas, sewer systems, etc.; and dimensions of front, side, and rear yards.
Attachment No. 2: Specification of each building, structure, or use (existing or proposed) identified on the plat.
Attachment No. 3: 18864 Old Principal Rd., Heyworth 61745
Attachment No. 4:

I (we) certify that this proposed Special Use will conform to the standards for Special Uses in the McLean County Zoning Ordinance, and that all of the above statements and the information contained in any attachments, documents, or plans submitted herewith are true to the best of my (our) knowledge and belief. I (we) understand that if the special use is approved it will expire in two years, unless a construction permit is taken to effectuate such special use; or evidence of use is filed with the Director of Building and Zoning.

Karen Stailey-Lander
Applicant Signature

5/30/18
Date

Agricultural Nuisance Disclaimer

Special Use Number SU-18-13

Parcel Number 36-07-400-003

I understand that I am living in the Agriculture District and that there are many farming and agricultural uses that are not very conducive to residential activities.

I certify that I am the owner of the property for this building permit to construct a single family dwelling located in the Agriculture District. I certify that I have read the following Agricultural Nuisance Disclaimer to the Agriculture District regulations contained in the McLean County Zoning Ordinance and that I understand that there are permitted uses and many special uses allowed in the Agriculture District that may not be compatible with a residential use in the Agriculture District. I further understand that residential uses in the Agriculture District are not given the same provision of services, amenities and protection from other land uses which are afforded to residential uses by the regulations of the residence districts and that the Agriculture District regulations are not intended to afford such services, amenities and protections to residential uses located therein.

501.2 **Agricultural Nuisance Disclaimer**. Properties within the Agriculture District are located in an area where land is used for commercial agricultural production. Owners, residents, and other users of property in the Agriculture District or neighboring property may be subjected to inconvenience, discomfort, and the possibility of injury to property and health arising from normal and accepted agricultural practices and operations, including but not limited to noise, odors, dust, the operation of machinery of any kind, including aircraft, the storage and disposal of manure, the application of fertilizers, soil amendments, herbicides, and pesticides. Therefore, owners, occupants, and users of property within the Agriculture District should be prepared to accept such inconveniences, discomfort, and possibility of injury from normal agricultural operations, and are hereby put on official notice that the state Right-to-Farm Law may bar them from obtaining a legal judgment against such normal agricultural operations.

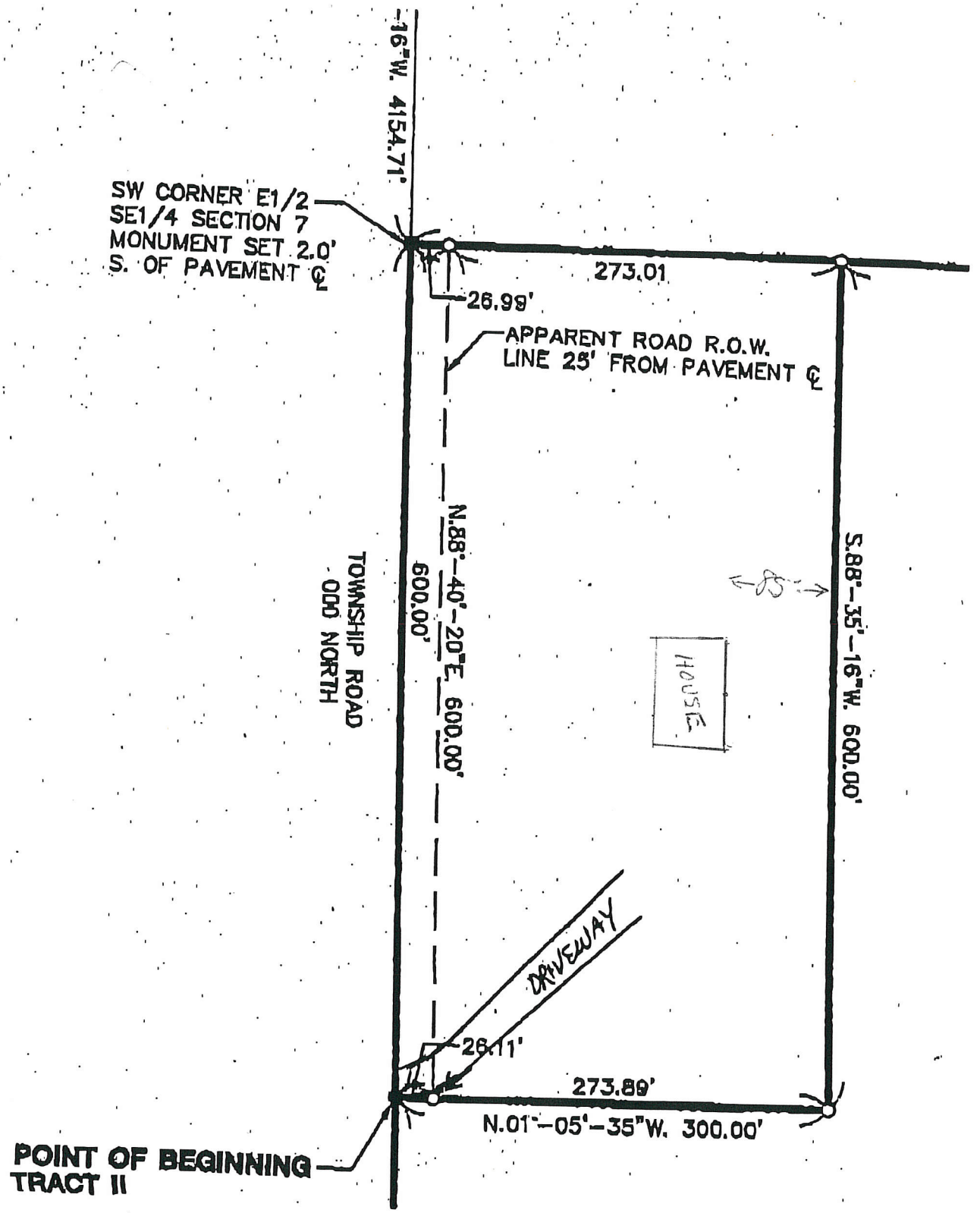
I understand that I established a residential use in the Agriculture District and that such land use has no additional rights granted to it than is granted to other uses allowed by either permit or by special use in the Agriculture District. I certify that I have been given a copy of this attachment.

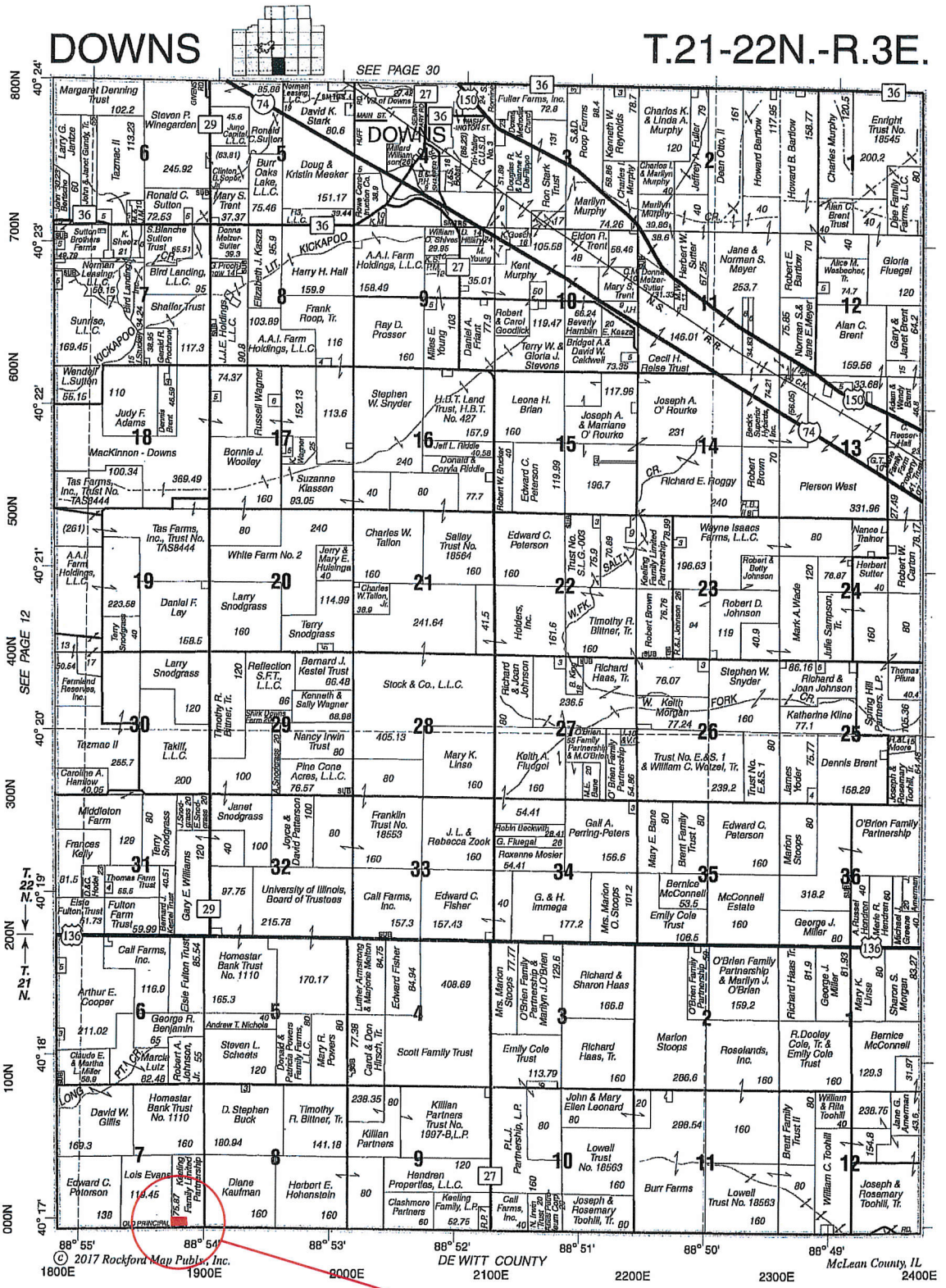
Signed Karen Stailey-Lander Date 5/30/18

Special Use Number SU-18-13

Legal Description Tract II

A part of the E½ of the SE¼ of Section 7, Township 21 North, Range 3 East of the Third Principal Meridian, McLean County, Illinois, more particularly described as follows: Commencing at the southeast corner of the SE¼ of Section 7; thence S.88°-35'-16"W. 721.32 feet on the south line of said SE¼ of Section 7 to the Point of Beginning; thence continuing S.88°-35'-16"W. 600.00 feet on the south line of said SE¼ of Section 7 to the southwest corner of the E½ of said SE¼ of Section 7; thence N.01°-05'-35"W. 300.00 feet on the west line of the E½ of said SE¼ of Section 7; thence N.88°-35'-16"E. 600.00 feet parallel with the south line of said SE¼ of Section 7; thence S.01°-05'-35"E. 300.00 feet parallel with the west line of the E½ of said SE¼ of Section 7 to the Point of Beginning containing 4.13 acres, more or less, with assumed bearings given for description purposes only.


-16"W. 4154.71'
SW CORNER E1/2
SE1/4 SECTION 7
MONUMENT SET 2.0'
S. OF PAVEMENT ℄
273.01
26.99'
APPARENT ROAD R.O.W.
LINE 25' FROM PAVEMENT ℄
N.88°-40'-20"E. 600.00'
600.00'
TOWNSHIP ROAD
000 NORTH
S.88°-35'-16"W. 600.00'
85'
HOUSE
DRIVEWAY
26.11'
273.89'
N.01°-05'-35"W. 300.00'
POINT OF BEGINNING
TRACT II



Att. 1: Plat Map

David Lander and Karen Stailey-Lander

Case No. SU-18-13

McLean County Soil and Water Conservation District
402 N. Kays Drive • Normal, Illinois 61761
309 452-3848 ext.3

April 2, 2009

McLean County Zoning
Law & Justice Center
104 West Front, Room 707
P.O. Box 2400
Bloomington, IL 61701

Dear McLean County Zoning;

In reference to David and Karen Lander , applicant, case number SU - 09 - 02, an application to allow a single family residence in an Agricultural District on land undesirable for farming, we have prepared the following information:

Protection of prime farmland in McLean County from irrevocable uses is a priority concern and the McLean County Soil and Water Conservation District advocates its protection. This parcel contains three (3) soils - Ipava, Sable, and Catlin,

The LESA system has been applied to the tract identified above and the evaluation indicates a soil site value of 92.2. Enclosed please find a copy of the Land Evaluation Worksheet. It is suggested that the site assessment portion of the LESA system be reviewed by the planner of the McLean County Department of Building and Zoning to determine total site value for the proposed use.

District assistance is available to help plan and control erosion problems as priorities dictate. Please contact our office at 452-0830 (ext. 3) for assistance.

Sincerely,

Dave Bishop
Resource Conservationist

SU-09-02

APPENDIX B

AGRICULTURE LAND EVALUATION
DETERMINING RELATIVE VALUE
McLEAN COUNTY, ILLINOIS

Agricultural Group	Adjusted Productivity Index For The Group Divided By The Highest Adjusted Productivity Index	Quotient Relative Yield	Times 100	Relative Value
(1)	(2)	(3)	(4)	(5)
1	159/159	1.00	100	100
2	153/159	.96	100	96
3	150/159	.94	100	94
4	141/159	.87	100	87
5	135/159	.85	100	85
6	128/159	.80	100	80
7	112/159	.70	100	70
8	89/159	.56	100	56
9	0/159	0	100	0

Landowner: David & Karen Lander

Twp: Downs Sec: 7

AGRICULTURAL LAND EVALUATION WORKSHEET
RELATIVE VALUE OF SITE

Agricultural Group	Relative Value For Each Group	Number of Acres In Site For Group	Product of Relative Value And Number of Acres
1	100	Lyons .8	80
2	96	Sable 1.6	153.6
3	94		
4	87	Catlin 1.4	121.8
5	85	Catlin .3	25.5
6	80		
7	70		
8	56		
9	0		
	Totals	4.1	380.9

Total Relative Product points ÷ Total Acres = Total Value

÷ =

Land Evaluation Factor 92.9

McLean County, Illinois - Department of Building and Zoning

Name: Lander **Case No:** SU-18-13 **Date:** 6-21-18

Article 11 –Land Evaluation and Site Assessment (LESA) Report

1104 SITE ASSESSMENT FACTORS, VALUES, AND DESCRIPTIONS OF FACTORS

1. Location and Land Use Considerations

A. Land area in an agricultural use within one mile of site

		Points Assigned
90% to 100%	15 points	
75% to 89%	12 points	12
50% to 74%	9 points	
25% to 49%	6 points	
10% to 24%	3 points	
0% to 9%	0 points	

B. Land in agricultural use adjacent to the site (% of total frontage)

		Points Assigned
90% to 100%	20 points	
75% to 89%	16 points	
50% to 74%	12 points	12
25% to 49%	8 points	
10% to 24%	4 points	
0% to 9%	0 points	

C. Size of the site to be converted

		Points Assigned
20 acres or more	20 points	
10 to 20 acres	15 points	
5 to 10 acres	10 points	
3 to 5 acres	5 points	5
0 to 3 acres	0 points	

2. Public Policy Considerations

A. Land area zoned for agricultural use within one mile of the site

		Points Assigned
90% to 100%	15 points	15
74% to 89%	12 points	
50% to 74%	9 points	
25% to 49%	6 points	
10% to 24%	3 points	
0% to 9%	0 points	

LESA Report

B. Land area zoned for agriculture use adjacent to the site

		Points assigned
90% to 100%	20 points	20
74% to 89%	16 points	
50% to 74%	12 points	
25% to 49%	8 points	
10% to 24%	4 points	
0% to 9%	0 points	

C. Land area adjacent to the site proposed for Agricultural use on the Land Use Plan

		Points Assigned
90% to 100%	20 points	20
74% to 89%	17 points	
50% to 74%	12 points	
25% to 49%	8 points	
10% to 24%	4 points	
0% to 9%	0 points	

D. Availability of other development sites in the vicinity of the site

		Points Assigned
Other properly zoned sites available	10 points	
Limited other sites available	6 points	
No other sites available	0 points	0

E. Environmental considerations (flood hazards, wetlands, aquifer recharge area, wild life habitat and unique community values)

		Points Assigned
Major negative impact	10 points	
Substantial negative impact	6 points	
Minor negative impact	2 points	
No negative impact	0 points	0

LESA Report

3. Public Service and Community Facility Considerations

A. Access to adequate transportation

		Points Assigned
1. frontage on a county highway, a township road, or a city street built to rural standards		
(1) poor surface condition and pavement width of less than 22 feet	20 points	
(2) good surface condition and pavement width of less than 22 feet	12 points	12
(3) poor surface condition and pavement width of more than 22 feet	9 points	
(4) good surface condition and pavement width of more than 22 feet	6 points	
2. frontage on a city collector street built to urban standards	3 points	
3. frontage on a city major street built to urban standards	0 points	

B. Availability of a public sanitary sewer system

		Points Assigned
Sewer system not available	10 points	10
Sewer system more than 1500 feet from site	8 points	
Sewer system between 750 and 1500 feet from site	6 points	
Sewer system over 750 feet from site	4 points	
Sewer system less than 750 feet from site	2 points	
Sewer system available at site	0 points	

C. Availability of a public water system

		Points Assigned
Public system not available	10 points	10
System more than 1500 ft. from site.	8 points	
System between 750 & 1500 ft. from site.	6 points	
System over 750 ft. from site.	4 points	
System less than 750 ft. from site.	2 points	
System available at site.	0 points	

LESA Report

D.	Public Protection Classification (Fire Insurance Rating)		Points Assigned
	Classifications 9 and 10	10 points	10
	Classification 8	8 points	
	Classification 7	6 points	
	Classification 6	4 points	
	Classification 5	2 points	
	Classifications 1 through 4	0 points	

E.	Availability of elementary school space		Points Assigned
	Over 30 minutes from site	10 points	
	15 to 30 minutes from site	6 points	
	Less than 15 minutes from site	2 points	2
	Walking distance of site	0 points	

F.	Distance to shopping and employment centers		Points Assigned
	5 miles and over	10 points	
	3 to 5 miles	8 points	8
	2 to 3 miles	6 points	
	1 to 2 miles	4 points	
	½ to 1mile	2 points	
	less than ½ mile	0 points	

230 points and above	Very high for agricultural land protection
220 thru 229 points	Moderate for agricultural land protection
219 points and below	Low for agricultural land protection

Total Site Assessment 136

Soil Score 92.9

Total Points 228.9

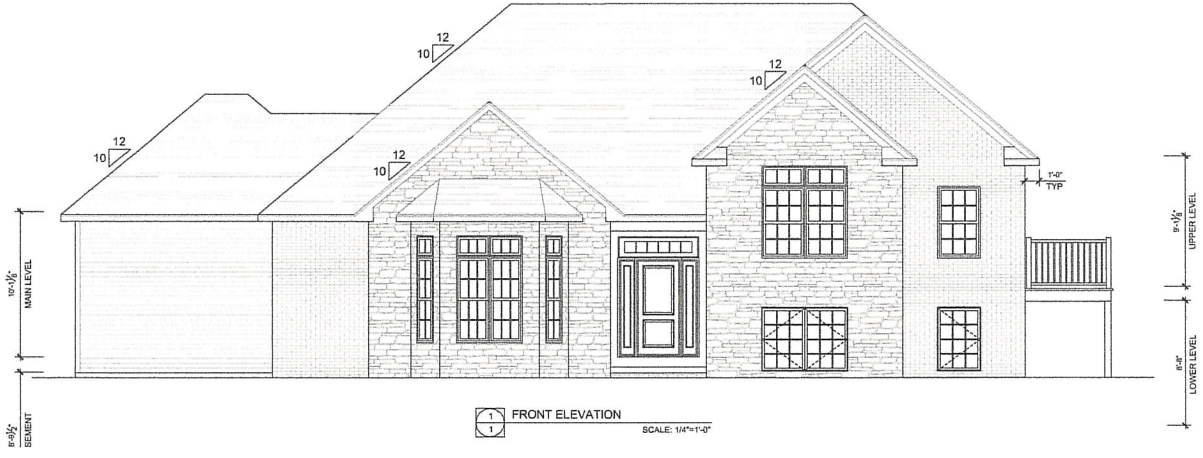
Signature of Person Completing Site Assessment Philip Dil

MEMO

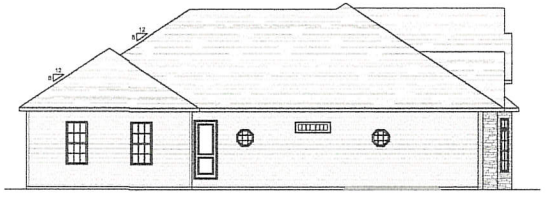
McLean County
Department of Building & Zoning
115 E. Washington St., Rm M-102
P.O. Box 2400 • Bloomington, IL 61702-2400
(309) 888-5160 • FAX (309) 888-5768
Website: mcleancountyil.gov

TOM MUSICK WI~~SLON~~ISON TWP
217-871-4667
ROAD COMMISSIONER
FOR DEWIT CO CALLED
AND SAID THE LANDER'S
CAN USE THE EXISTING ENTRANCE
FOR A NEW HOME ON LOT
36-07-400-003

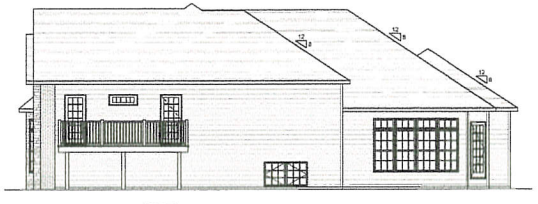
6/1/18



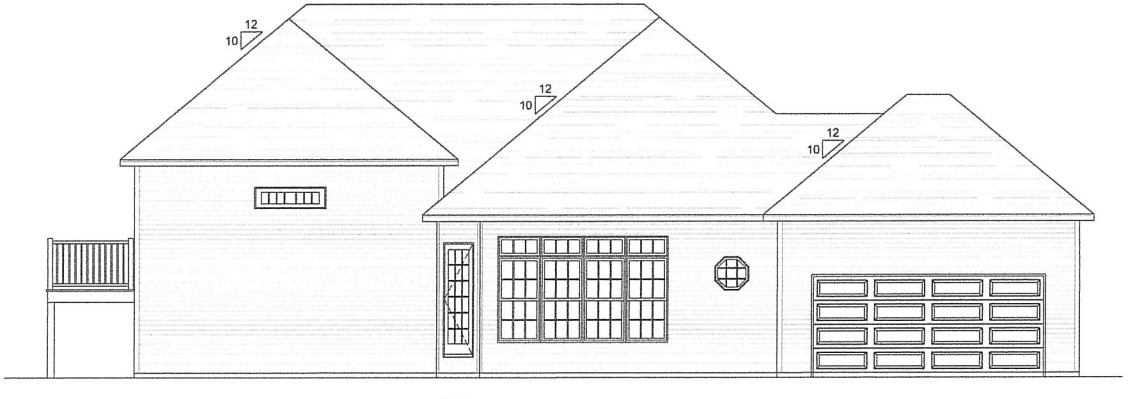
1/1 FRONT ELEVATION
SCALE: 1/4"=1'-0"



2/1 LEFT SIDE ELEVATION
SCALE: 1/8"=1'-0"



3/1 RIGHT SIDE ELEVATION
SCALE: 1/8"=1'-0"



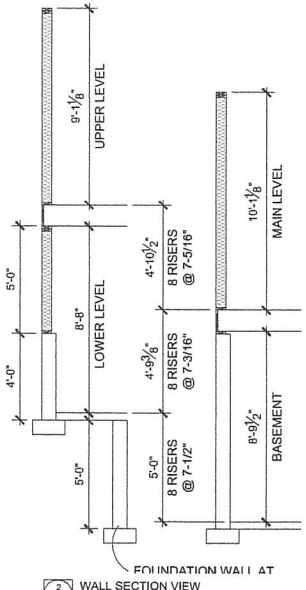
4/1 REAR ELEVATION
SCALE: 1/4"=1'-0"

WALL NOTES:
1. ALL FOUNDATION WALLS MEASURE 8".
2. ALL 2x6 WALLS MEASURE 5-1/2".
3. ALL 2x4 WALLS MEASURE 3-1/2".

GENERAL NOTES:
1. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO REVIEW THE CONSTRUCTION PLANS PRIOR TO CONSTRUCTION TO VERIFY ACCURACY AND COMPLIANCE WITH ALL APPLICABLE CODES.
2. HINES SUPPLY CAN NOT BE HELD RESPONSIBLE FOR ANY MATERIAL NOT PROVIDED BY HINES SUPPLY. IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY ALL MATERIALS WORK AS DESIGNED.
3. ANY STUD FRAMED WALL OVER 12'-0" IN HEIGHT MAY NEED TO BE STAMPED BY A LICENSED STRUCTURAL ENGINEER IN ORDER TO MEET CODE ENFORCEMENT.
4. VERIFY WINDOW CALL-OUTS AND ROUGH OPENINGS WITH GENERAL CONTRACTOR PRIOR TO CONSTRUCTION.
5. GRADE LINES ON THIS DRAWING ARE ESTIMATES BASED ON INFORMATION PROVIDED BY THE GENERAL CONTRACTOR. ACTUAL GRADE MUST BE VERIFIED ON SITE PRIOR TO CONSTRUCTION.

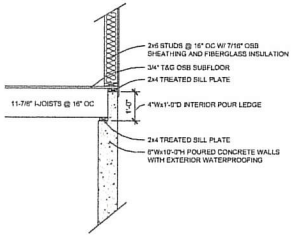
SHEET:	SCALE:	REVISIONS:		ADDRESS:	LANDER RESIDENCE
1	AS NOTED	7/17/17	3/15/18	LOT NUMBER:	
		2/19/18	3/28/18	DRAWING OF:	ELEVATIONS
	PLAN #:	2/26/18	5/10/18	DRAWN BY:	DJC
	18-006	3/5/18		DATE:	6/20/17

EXPERT BUILDERS



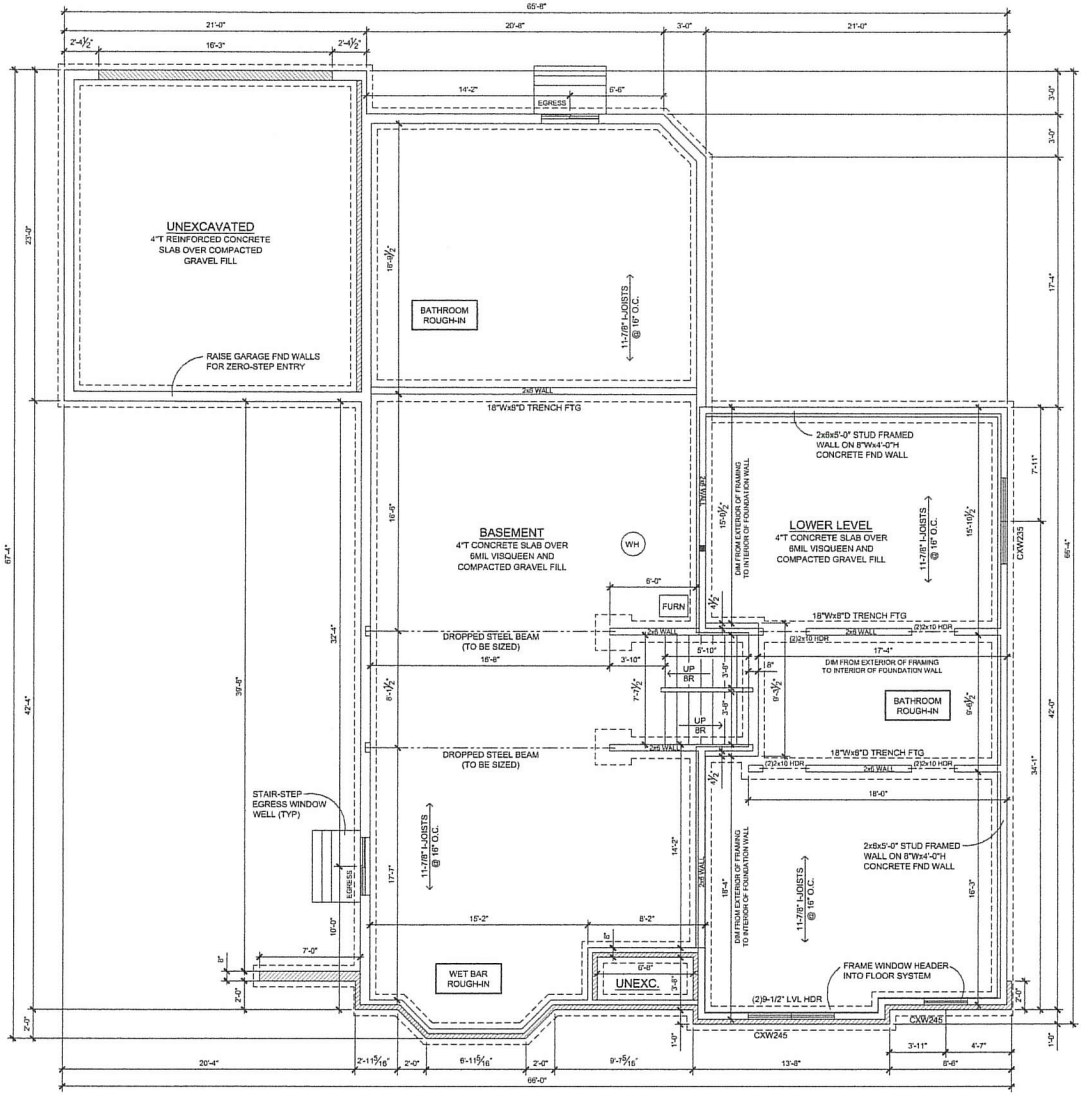
2/2 WALL SECTION VIEW

SCALE: 3/8"=1'-0"



3/2 ZERO-STEP ENTRY DETAIL

SCALE: 1/2"=1'-0"



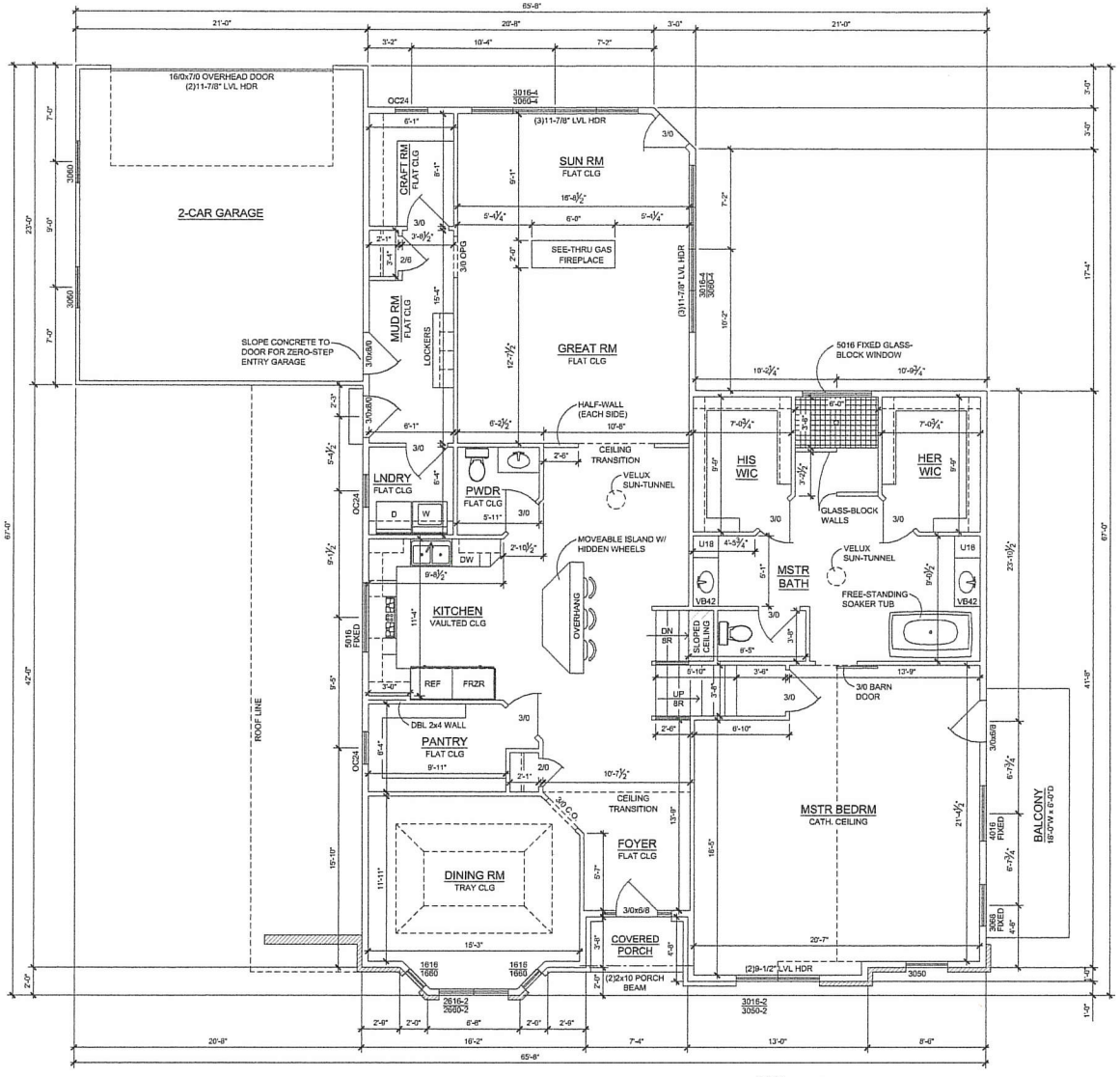
1/2 LOWER/BASEMENT FLOOR PLANS

FOUNDATION NOTES:

1. FOUNDATION WALLS TO BE 8"Wx4'-0"H POURED CONCRETE
2. FOUNDATION WALLS OF UNEXCAVATED AREAS TO BE 8"Wx4'-0"H POURED CONCRETE.
3. ALL EXTERIOR FOOTINGS TO BE 18"Wx8"D POURED CONCRETE (MIN. FOOTING DEPTH TO BE 32" BELOW GRADE).
4. ALL FOUNDATION WALLS ADJACENT TO FINISHED AREAS TO BE SPRAYED WITH WATER-PROOFING MEMBRANE.
5. 6 MIL VISQUEEN WITH MIN. 12" OVERLAPPED SEAMS TO BE INSTALLED BELOW BASEMENT SLAB.
5. ALL PLATE MATERIAL IN CONTACT WITH CONCRETE TO BE PRESSURE TREATED.

SHEET:	SCALE:	REVISIONS:		ADDRESS:	LANDER RESIDENCE
2	1/4"=1'-0"	7/17/17	3/15/18	LOT NUMBER:	
	PLAN #:	2/19/18	3/20/18	DRAWING OF:	FOUNDATION PLAN
	18-006	2/28/18	5/10/18	DRAWN BY:	DJC
		3/5/18		DATE:	6/20/17

EXPERT BUILDERS



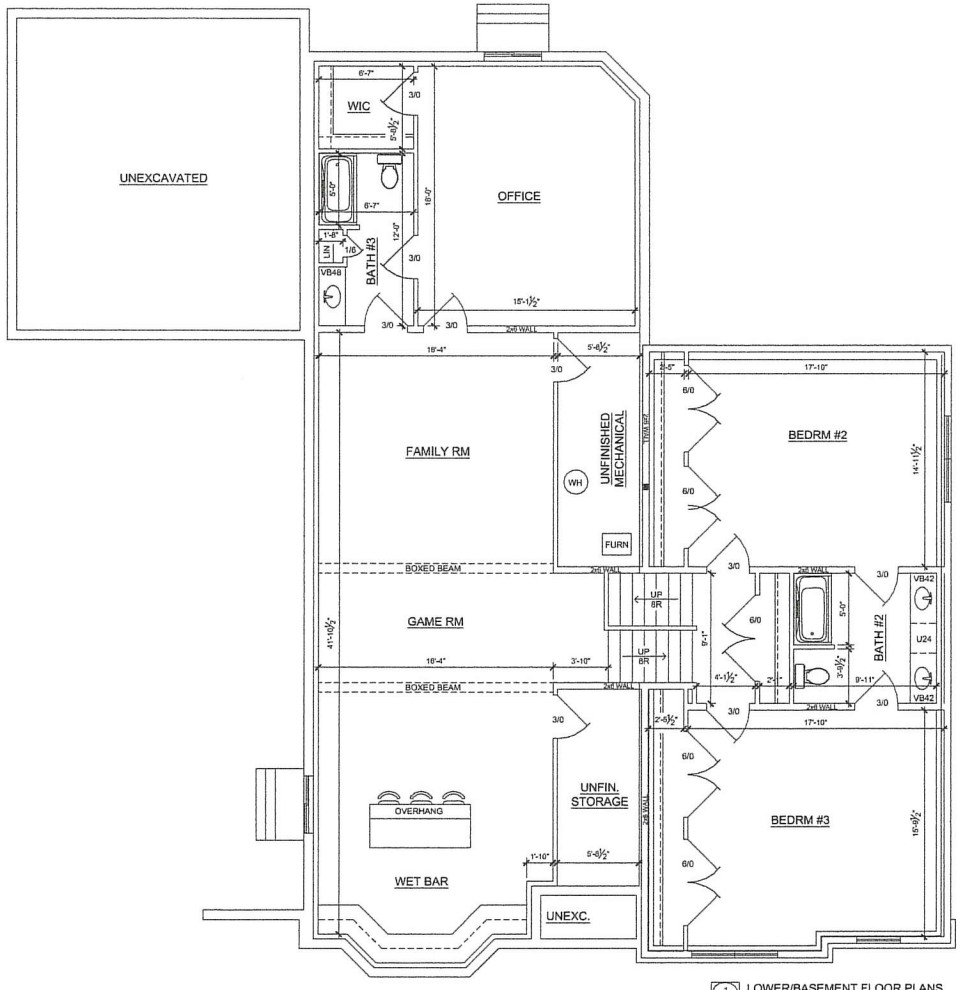
1/3 MAIN/UPPER FLOOR PLANS

MAIN: 1,471 SQ. FT.
UPPER: 891 SQ. FT.

MAIN/UPPER LEVEL NOTES:

1. ALL EXTERIOR DIMENSIONS ARE TO THE FACE OF THE STUDS.
2. ALL INTERIOR DIMENSIONS ARE TO THE FACE OF THE STUDS.
3. ALL EXTERIOR HOUSE WALLS TO BE CONSTRUCTED OF 2x6 STUDS AT 16" OC WITH 7/16" OSB SHEATHING AND HOUSE WRAP (UNLESS OTHERWISE NOTED).
4. ALL EXTERIOR GARAGE WALLS TO BE CONSTRUCTED OF 2x4 STUDS AT 16" OC WITH 7/16" OSB SHEATHING AND HOUSE WRAP (UNLESS OTHERWISE NOTED).
5. ALL INTERIOR WALLS TO BE CONSTRUCTED OF 2x4 STUDS AT 16" OC (UNLESS OTHERWISE NOTED).
6. MAIN LEVEL CEILINGS TO BE 10'-1 1/8" HIGH (UNLESS OTHERWISE NOTED).
7. UPPER LEVEL CEILINGS TO BE 9'-1 1/8" HIGH (UNLESS OTHERWISE NOTED).

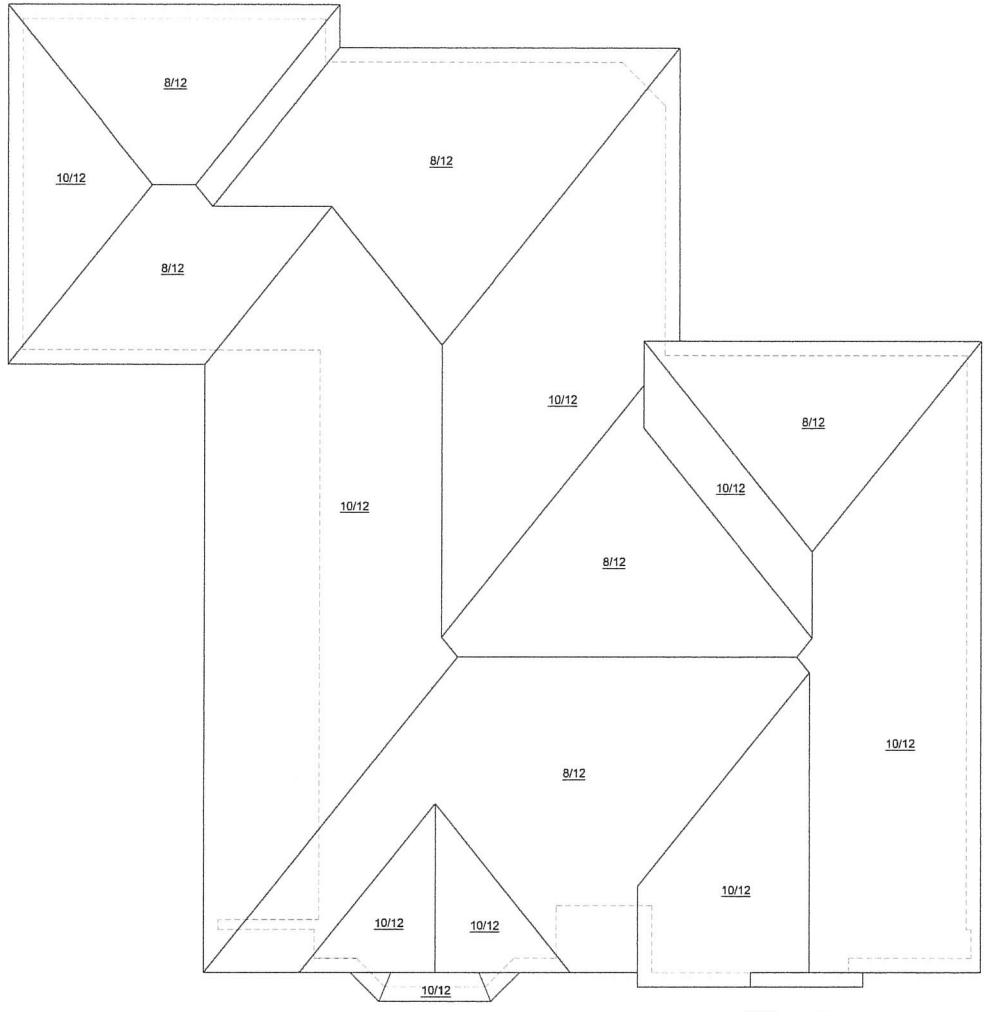
SHEET: 3	SCALE: 1/4"=1'-0"	REVISIONS: 7/17/17, 2/19/18, 2/26/18, 3/5/18, 3/15/18, 3/26/18, 5/10/18	ADDRESS:	LANDER RESIDENCE	EXPERT BUILDERS
	PLAN #: 18-006		LOT NUMBER:		
			DRAWING OF:	MAIN/UPPER LEVEL FLOOR PLAN	
			DRAWN BY:	DJC	
			DATE:	6/20/17	



1/4 LOWER/BASEMENT FLOOR PLANS

LOWER: 772 SQ. FT.
BASEMENT: 1,121 SQ. FT.

SHEET:	SCALE:	REVISIONS:		ADDRESS:	LANDER RESIDENCE	EXPERT BUILDERS
4	1/4"=1'-0"	7/17/17	3/15/18	LOT NUMBER:		
		2/19/18	3/28/18	DRAWING OF:	FINISHED LOWER/BASEMENT PLAN	
	PLAN #:	2/28/18	5/10/18	DRAWN BY:	DJC	
	18-006	3/5/18		DATE:	6/20/17	



1/5 ROOF PLAN

SHEET:	SCALE:	REVISIONS:		ADDRESS:	LANDER RESIDENCE	EXPERT BUILDERS
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	PLAN #:	2/19/18	3/26/18	DRAWING OF:	ROOF PLAN	
	18-006	2/26/18	5/10/18	DRAWN BY:	DJC	
		3/5/18		DATE:	6/20/17	