



AGENDA
LAND USE AND DEVELOPMENT COMMITTEE MEETING
Thursday, March 5, 2020, 3:30 P.M.
Room 400, Government Center
115 East Washington Street, Bloomington, IL

1. Call to Order – Chair
2. Consideration of February 6, 2020 minutes
3. Recommendation Concerning Bills and Transfers
4. Appearance by Members of the Public
5. ITEM FOR ACTION:
 - A. Request by Emily Schwartz for a waiver of preliminary plan requirements and approval of a one-lot subdivision final plat for the Marvin Smith Subdivision; and
 - B. Request from the Cropsey Township Board for the McLean County Board to assist with the rectification of unsafe conditions of a collapsed building owned by Steve Courtland located at 105 Belle Prairie Street in the unincorporated Village of Cropsey, IL on parcel # 11-23-432-008. This request is under Township Code 60 ILCS 1/85-50.
6. ITEMS FOR INFORMATION:
 - A. The next meeting date - 3:30 P.M., Thursday, April 2, 2020; and
 - B. Other items of information.
7. ADJOURNMENT:

For questions concerning the agenda, please contact the McLean County Department of Building and Zoning at 309-888-5160.

McLean County Department of Building and Zoning

SUBDIVISION STAFF REPORT
LAND USE AND DEVELOPMENT COMMITTEE

CASE NUMBER S-20-02

1. REFERENCE:

- a. Meeting date: March 5, 2020
- b. Subdivider's name: Emily Schwartz
- c. Subdivision name: Marvin Smith Subdivision

2. LOCATION, LAND USE AND REQUEST:

- a. Property location: 21254 N 825 East Rd., Carlock, IL 61725.
- b. Township: White Oak Township.
- c. Parcel number: 06-28-301-009.
- d. Existing zoning: Agriculture District.
- e. Applicant's request: A waiver of preliminary plan requirements and approval of a one-lot subdivision final plat for the Marvin Smith Subdivision.
- f. Existing land use: Lot 1 contains a single-family residence and two outbuildings. The lot has a long existing driveway that will provide an access easement to a farm property to the west and provides an access easement to an existing residential tract.

3. DIMENSIONS & REVIEW:

- a. Size of Parcel: 8.1 acres in area.
- b. County Health Department: Recommends approval of the final plat for the Marvin Smith Subdivision.
- c. County Highway Department: Recommends approval of the request for a waiver of a preliminary plan and approval of the final plat of the Marvin Smith Subdivision. The applicant has obtained a plat access certificate from the White Oak Township Road Commissioner.

Staff recommends that a waiver of the preliminary plan, and the Marvin Smith Subdivision final plat should be approved.

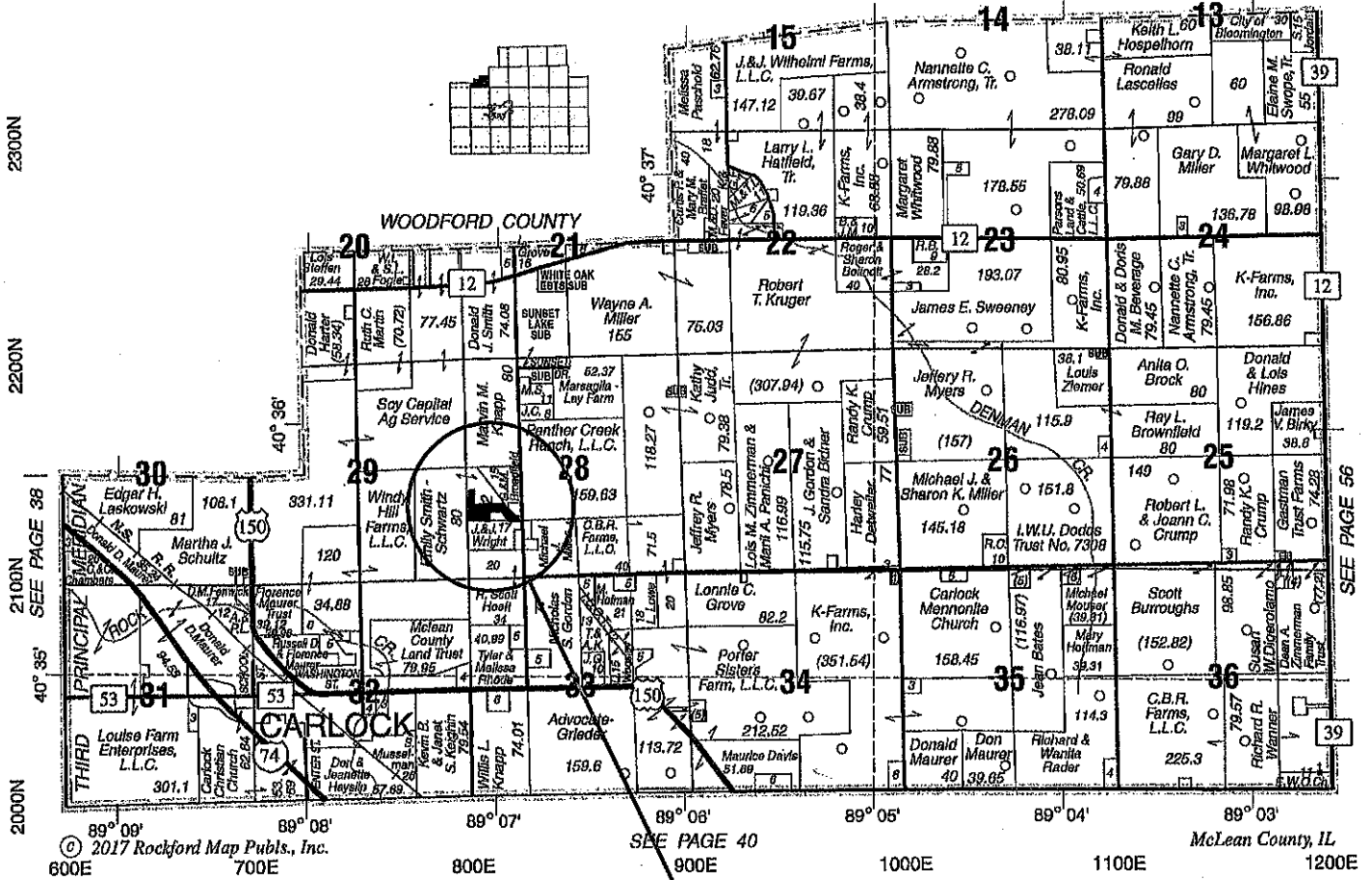
Respectfully submitted,



Philip Dick, AICP, Director

WHITE OAK

T.25N.-R.1E.

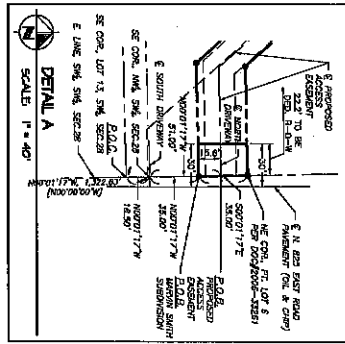
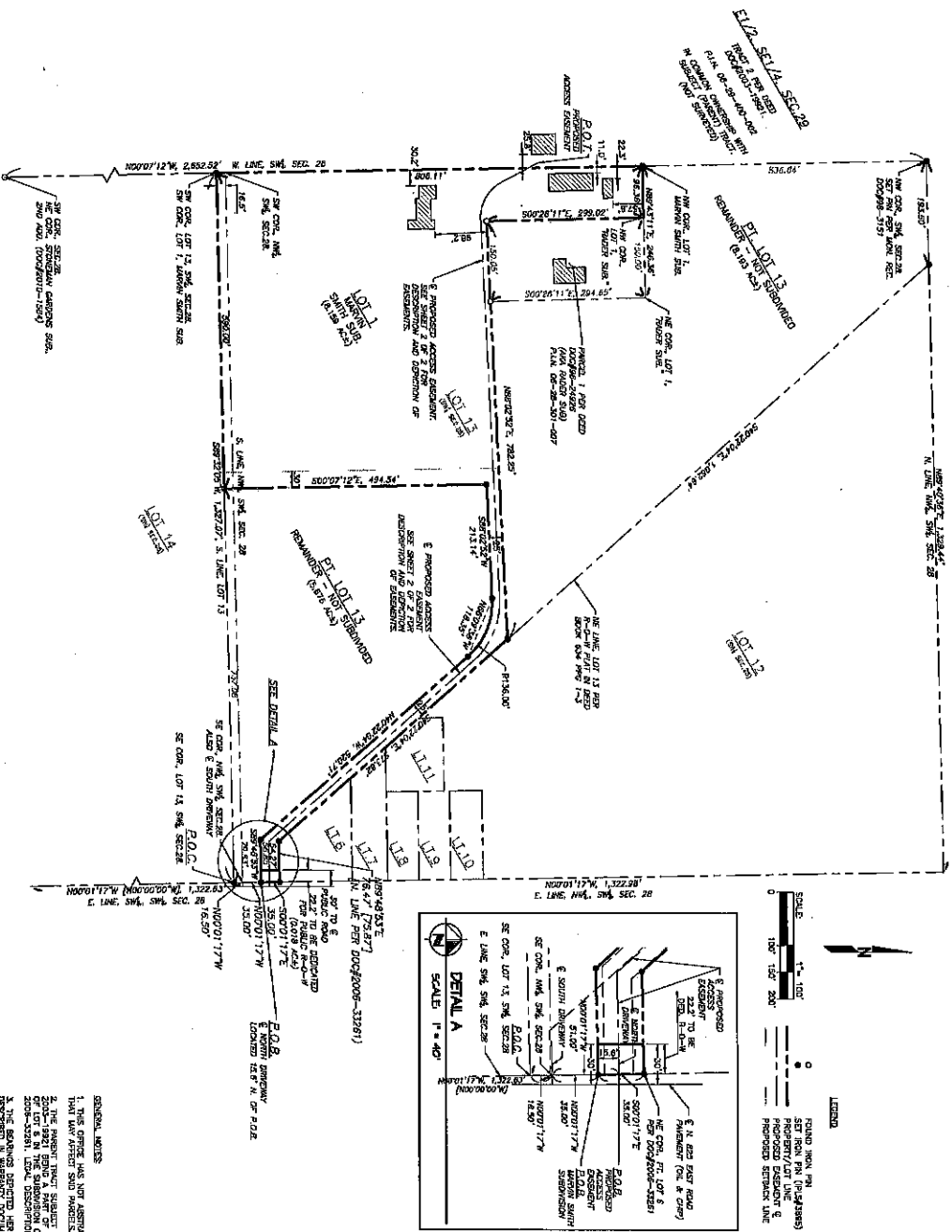


Att. 1: Plat Map

Marvin Smith Subdivision

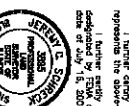
Case No. S-20-02

MARVIN SMITH SUBDIVISION
PT. LOTS 6&13, SUB. SW 1/4, SE. 28-25-1E
WHITE OAK TOWNSHIP, McLEAN COUNTY, ILLINOIS



GENERAL NOTES

1. THE PART OF THE SURVEY INSTRUMENTED THE OWNER'S PROPERTY HEREIN OR ANY PART OF THE SUBDIVISION OR CONSTRUCTIONS THEREON HAS BEEN INSTRUMENTED AND RECORDED OR INSTRUMENTED OR NOT INSTRUMENTED OR NOT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF McLEAN, ILLINOIS. THE PART OF THE SURVEY INSTRUMENTED WHICH IS INSTRUMENTED OR NOT INSTRUMENTED OR NOT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF McLEAN, ILLINOIS, SHALL BE DEEMED AS A PART OF THIS SURVEY.
2. THE BOUNDARIES SET FORTH ARE ASSUMED AND HAVE BEEN ADJUSTED TO MATCH THE SOUTH LINE OF PARCEL 1 AS SHOWN IN WARRANTY DOCUMENT NUMBER 2008-1374, THE BOUNDARIES AND DISTANCES OF THE RECORDED SUBDIVISION HAVE BEEN RECORDED IN SOURCE RECORDS.
3. THE PART OF THE SUBDIVISION OF THE SURVEY INSTRUMENTED OR INSTRUMENTED OR NOT INSTRUMENTED OR NOT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF McLEAN, ILLINOIS, SHALL BE DEEMED AS A PART OF THIS SURVEY INSTRUMENTED OR INSTRUMENTED OR NOT INSTRUMENTED OR NOT RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF McLEAN, ILLINOIS.



Dated this 21st day of February, 2020.
By: *[Signature]*
Professional Land Surveyor No. 113-5038

1. I, further certify that said subdivision is within 1 1/2 miles of the corporate limits of the Village of Compton, which has adopted a 30' front yard setback requirement. This subdivision is to be known as the Marvin Smith Subdivision.

2. Further certify that said subdivision is not within a flood hazard zone as depicted on the Flood Hazard Insurance Rate Map No. 17133C, effective October 15, 2008.

3. I further certify that the foregoing plat accompanying this certificate accurately represents the above-described property as subdivided.

4. I further certify that I have subdivided the same (as 1 lot as shown on the subdivision map) in accordance with the provisions of said Act and all requirements are given in full and executed thereof. All areas and easements designated on said plat are indicated for public use.

Land Engineers, LLC
2044 Dirigo Road, Woodstock, IL 61098
815-245-1900
www.landengineers.com

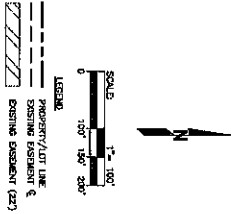
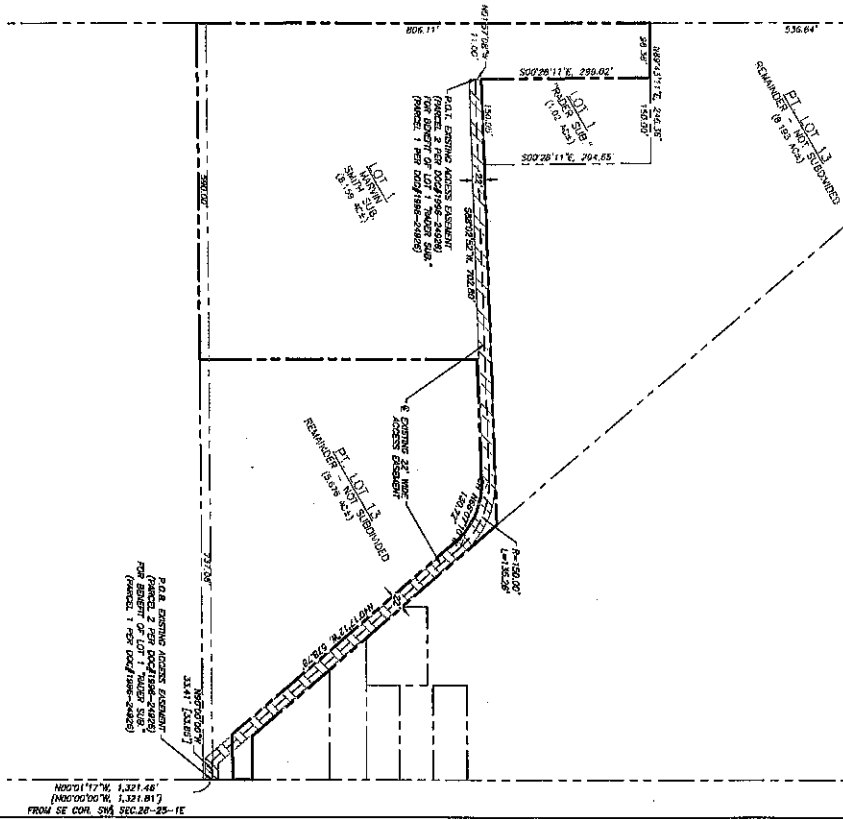
MARVIN SMITH SUBDIVISION
PT. LOTS 6&13, SUB. SW 1/4, SECTION 28, T.25N.-R.1E., 3RD P.M., WHITE OAK TWP., McLEAN COUNTY, ILLINOIS
FINAL PLAT

NO.	DATE	REVISIONS	
		APPROVED	DESCRIPTION
1	02/21/20	JCS	ISSUED

SCALE: 1" = 100'
DRAWN BY: LOH
DATE: 02/20/20
CHECKED BY: JCS
DATE: 02/21/20

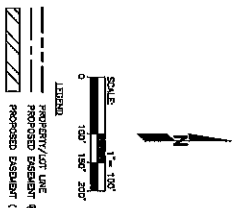
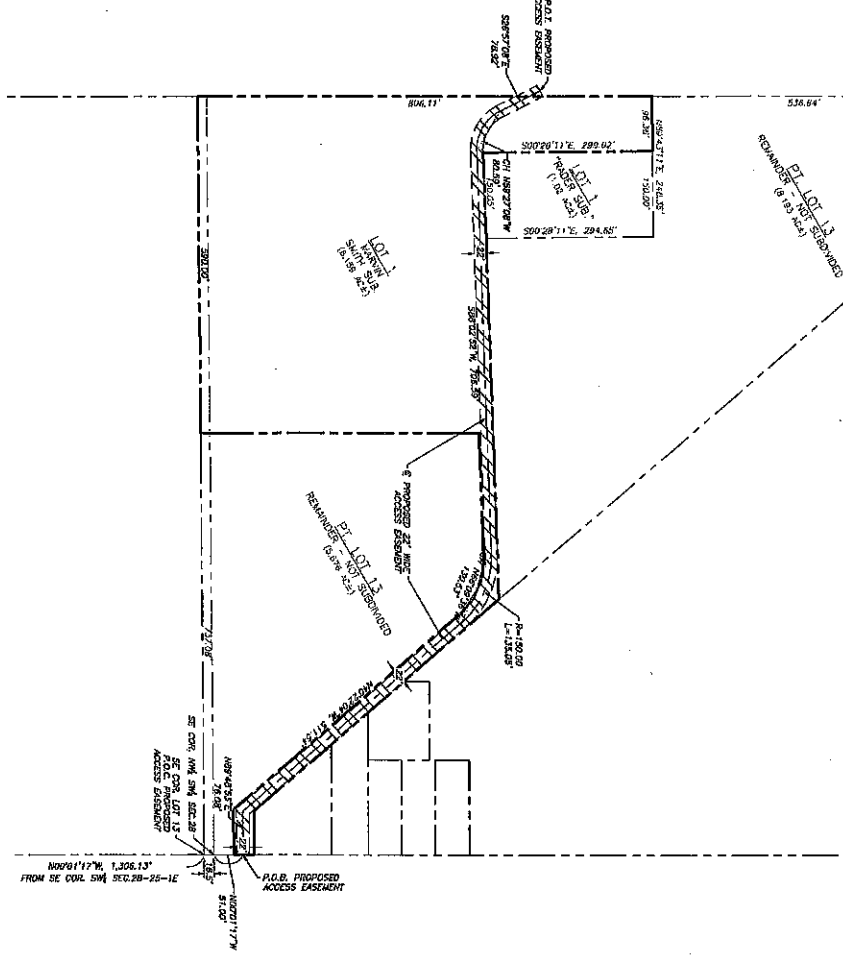
PROJECT NO. 916790
SHEET NUMBER: 1 of 2
PIN (PARENT TRACT): 06-28-301-009

MARVIN SMITH SUBDIVISION
 PT. LOTS 6&13, SUB. SW 1/4, SE. 28-25-1E
 WHITE OAK TOWNSHIP, McLEAN COUNTY, ILLINOIS



EXISTING ACCESS EASEMENT IDENTIFIED AS PARCEL 2 IN DEED DCC#1988-24925 FOR BENEFIT OF LOT 1, TENDER SUBDIVISION, A.K.A. PARCEL 1 IN DEED DCC#1988-24926.

LEGAL DESCRIPTION:
 Parcel 2 (from Marvyn David Duff 1988-24925). A part of Lot 13 of the Subdivision of the Southeast Quarter of Section 28, Township 25 North, Range 1 East of the Third Principal Meridian being an easement 22 feet in width, 11 feet on either side of a centerline more particularly described as follows:
 Commencing at the southeast corner of the Southeast Quarter of the Southeast Quarter of Section 28, Township 25 North, Range 1 East of the Third Principal Meridian; thence North 02°01'17\"/>



PROPOSED ACCESS EASEMENT FOR BENEFIT OF LOT 1, TENDER SUBDIVISION AND THE FARMLAND TO THE WEST (E. 1/2, SE. 1/4, SECTION 28-25-1E).

LEGAL DESCRIPTION:
 A Part of Lots 6 and 13 of the Subdivision of the Southeast Quarter of Section 28, Township 25 North, Range 1 East of the Third Principal Meridian being on corner bearings 22 feet in width, 11 feet on either side of a centerline more particularly described as follows:
 Commencing at the Southeast Corner of the Southeast Quarter of the Southeast Quarter of Section 28, Township 25 North, Range 1 East of the Third Principal Meridian; thence North 02°01'17\"/>

Land Engineers, LLC
 2404 Crystalwood Road, Bloomington, IL 61704
 309-242-2626 Fax: 309-242-2625
 24hr Fax: 309-242-2625 Email: 4002221

PROJECT: MARVIN SMITH SUBDIVISION
 PT. LOTS 6&13, SUB. SW 1/4, SECTION 28, T.25N.-R.1E., 3RD P.M.
 WHITE OAK TWP., McLEAN COUNTY, ILLINOIS

SCALE: 1" = 100'
 DRAWN BY: JCS
 DATE: 02/21/20
 CHECKED BY: JCS
 DATE: 02/21/20

REVISIONS			
NO.	DATE	APPROV.	DESCRIPTION

STAMP: 20f2

ORDINANCE OF APPROVAL
OF FINAL PLAT
Marvin Smith Subdivision, File S-20-02

WHEREAS, Emily Schwartz has requested a waiver from preliminary plan requirements, has filed an application for approval of a final plat for the Marvin Smith Subdivision, file number S-20-02, and has executed all agreements and documents required by the land subdivision regulations of McLean County; and

WHEREAS, said property is located in White Oak Township at 21254 N 825 East Rd., Carlock, IL, and

WHEREAS, Emily Schwartz subdivided her property in order to set aside the single-family dwelling from the farmland on her property; and

WHEREAS, the Marvin Smith Subdivision will provide an access easement to a farm property to the west and provides an access easement to an existing residential tract; and

WHEREAS, staff recommends that a preliminary plan is unnecessary for the proposed subdivision; and

WHEREAS, the Land Use and Development Committee of the McLean County Board has reviewed said waiver and final plat and finds that they meet the said subdivision regulations; and

WHEREAS, the Land Use and Development Committee is recommending that the County Board of McLean County, Illinois approve said waiver and final plat for the said subdivision; now, therefore,

BE IT ORDAINED that the said waiver and final plat for the aforesaid Marvin Smith Subdivision be and hereby are approved.

Adopted by the County Board of McLean County, Illinois this 17th day of March 2020

ATTEST:

APPROVED:

Kathy Michael, County Clerk
McLean County, Illinois

John McIntyre, Chair
McLean County Board

Cropsey Township
39143 E 2300 N Rd
Cropsey, IL 61731
dhankes9@hotmail.com

02/13/2020

McLean County Board
John McIntyre, Chairman
115 E. Washington St.
Bloomington, IL 61701

RECEIVED

FEB 19 2020

ZONING

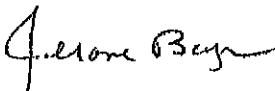
Dear McLean County Board:

Cropsey Township respectfully request the McLean County Board take action under Township Code 60 ILCS 1/85-50. This request is in reference to 105 BELLE PRAIRIE ST in Cropsey, Illinois, also identified as PIN #11-23-432-008 currently owned by Steve Courtland located in unincorporated Cropsey Township.

The above referenced building which collapsed on August 4, 2019, was viewed by Catherine Metsker, Trevor Cierra, Phil Dick as well as other McLean County Officials during their visit to Cropsey Township on Wednesday August 14, 2019. An ongoing dialogue has been unfolding since the visit about what efforts have been made, by the property owner, as to clean up of the building. There has been some clean-up effort, by the owner of the property, however clean-up seems to be sporadic and slow leaving a public safety issue. The building is known to have a basement and the North wall of the collapsed building is still standing creating unsafe conditions that could impact other property owners as well as a safety issue for bystanders as this building is adjacent to the Cropsey United States Postal Service facility. The Cropsey Township Board is requesting County Board assistance through the above-mentioned code to assist with the rectification of unsafe conditions.

The Cropsey Township Board as well as the Cropsey community is willing to assist in any way in the efforts of the County Board to address this safety hazard. A Cropsey Township Trustee can be available to attend meetings addressing this request if necessary.

Respectfully submitted



Jerome Beyer, Supervisor
Cropsey Township Board of Trustee's

Article 85. Township Corporate Powers, Generally

60 ILCS 1/85-50

1/85-50. Demolition, repair, or enclosure of buildings

§ 85-50. Demolition, repair, or enclosure of buildings.

(a) The township board of any township may formally request the county board to commence specified proceedings with respect to property located within the township but outside the territory of any municipality as provided in Section 5-1121 of the Counties Code.¹ If the county board declines the request as provided in Section 5-1121 of the Counties Code, the township may exercise its powers under this Section.

(b) The township board of each township may demolish, repair, or enclose or cause the demolition, repair, or enclosure of dangerous and unsafe buildings or uncompleted and abandoned buildings within the territory of the township and may remove or cause the removal of garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from those buildings.

The township board shall apply to the circuit court of the county in which the building is located (i) for an order authorizing action to be taken with respect to a building if the owner or owners of the building, including the lien holders of record, after at least 15 days' written notice by mail to do so, have failed to commence proceedings to put the building in a safe condition or to demolish it or (ii) for an order requiring the owner or owners of record to demolish, repair, or enclose the building or to remove garbage, debris, and other hazardous, noxious, or unhealthy substances or materials from the building. It is not a defense to the cause of action that the building is boarded up or otherwise enclosed, although the court may order the defendant to have the building boarded up or otherwise enclosed. Where, upon diligent search, the identity or whereabouts of the owner or owners of the building, including the lien holders of record, is not ascertainable, notice mailed to the person or persons in whose name the real estate was last assessed and the posting of the notice upon the premises sought to be demolished or repaired is sufficient notice under this Section.

The hearing upon the application to the circuit court shall be expedited by the court and shall be given precedence over all other suits.

The cost of the demolition, repair, enclosure, or removal incurred by the township, by an intervenor, or by a lien holder of record, including court costs, attorney's fees, and other costs related to the enforcement of this Section, is recoverable from the owner or owners of the real estate or the previous owner or both if the property was transferred during the 15-day notice period and is a lien on the real estate if, within 180 days after the repair, demolition, enclosure, or removal, the township, the lien holder of record, or the intervenor who incurred the cost and expense shall file a notice of lien for the cost and expense incurred in the office of the recorder in the county in which the real estate is located or in the office of the registrar of titles of the county if the real estate affected is registered under the Registered Titles (Torrens) Act.² The lien becomes effective at the time of filing.

The notice must consist of a sworn statement setting out (1) a description of the real estate sufficient for its identification, (2) the amount of money representing the cost and expense incurred, and (3) the date or dates when the cost and expense was incurred by the township, the lien holder of record, or the intervenor. Upon payment of the cost and expense by the owner or persons interested in the property after the notice of lien has been filed, the lien shall be released by the township, the person in whose name the lien has been filed, or the assignee of the lien, and the release may be filed of record as in the case of filing notice of lien. Unless the lien is enforced under subsection (c), the lien may be enforced by foreclosure proceedings as in the case of mortgage foreclosures under Article XV of the Code of Civil Procedure³ or mechanics' lien foreclosures. An action to foreclose this lien may be commenced at any time after the date of filing of the notice of lien. The costs of foreclosure incurred by the township, including court costs, reasonable attorney's fees, advances to preserve the property, and other costs related to the enforcement of this subsection, plus statutory interest, are a lien on the real estate and are recoverable by the township from the owner or owners of the real estate.