

APPLICATION FOR **TEXT AMENDMENT** UNDER THE REGULATIONS OF THE McLEAN COUNTY ZONING ORDINANCE

<p>APPLICANT NAME: <u>Keith Morgan</u> ADDRESS: <u>23741 E 200 N RD</u> <u>LEROY, IL 61752</u> PHONE: - home: <u>309-962-9664</u> work: <u>309-824-0489-CELL</u> <u>KMTI1952@gmail.com</u></p>	<p>FOR OFFICIAL USE ONLY CASE NO.: <u>ZA - 20 - 02</u></p>	
<p>ATTORNEY NAME: ADDRESS: PHONE:- home: work:</p>	<p>FILING FEE \$ <u>500.</u> RECEIPT NO. <u>2707</u> PUB. COSTS \$ <u>148.52</u> RECEIPT NO. _____ HEARING DATE <u>4-7-20</u> HEARING TIME <u>7:00 p.m.</u> DECISION DATE <u>4-21-20</u></p>	<p>RECEIVED FEB 13 2020 ZONING FILE STAMP</p>

Keith Morgan 2-11-20

Application is hereby made to amend Section _____ of the text of the McLean County Code as attached.

(Please attach amendment in exact language proposed.)

Code of McLean County, Illinois, Section 350, Zoning Ordinance
Article VI – Use Regulations

- [1] The height of the facility shall not exceed 350 feet, except if the facility is located within 1 1/2 miles of the corporate limits of a municipality with a population of 25,000 or more, the height of the facility shall not exceed 200 feet.
 - [2] The horizontal separation distance to the nearest residence shall not be less than the height of the supporting structure; except that if the supporting structure exceeds 99 feet in height, the horizontal separation distance to the nearest residence shall be at least 100 feet or 80% of the height of the supporting structure, whichever is greater. If the supporting structure is not an antenna tower, this subsection is satisfied.
- (b) Unless a facility is a qualifying structure or meets the preceding Subsection **QQ(4)(a)[1]** and **[2]**, a facility must receive County Board approval. If the County Board fails to act on a complete application within 75 days of submission, the application shall be deemed to have been approved. Approval requires a majority of the County Board members present at the meeting. No more than one public hearing shall be required. The following siting considerations shall be considered by the body conducting the public hearing:
- [1] The criteria in Subsection **QQ(1)** of this section;
 - [2] Whether a substantial adverse effect on public safety will result from some aspect of the facility's design or proposed construction, but only if that aspect of design or construction is modifiable by the applicant;
 - [3] The benefits derived by the users of the services to be provided or enhanced by the establishment of the facility;
 - [4] The existing uses on adjacent and nearby properties; and
 - [5] The extent to which the design of the proposed facility reflects compliance with this chapter.

RR. Rural home-based off-premises business. Rural home-based off-premises businesses on a lot no less than 40 acres in area are subject to the following standards and stipulations: **[Added 2-20-2001]**

- (1) Employment at the site of the special use may include any persons who are bona fide residents of the single-family dwelling located on such site and not more than ~~one~~ ^{four} other person who is not a bona fide resident of such single-family dwelling.
- (2) Such home-based off-premises business shall not be established in any subdivision used for residential purposes which contains more than one lot.
- (3) Such home-based off-premises business shall not create additional traffic congestion on the public streets and highways, and any motor vehicles used in the operation of such home-based off-premises business shall not exceed the official weight limits on the public streets and highways which provide access to the site of such special use. The applicant for the special use shall provide a certified listing of the gross weights of all equipment and motor vehicles used in the operation of such home-based off-premises business at the time of the filing of the special use application with the County.
- (4) Any and all equipment, materials and supplies used in the operation of such home-based off-premises business, if stored on the site of the special use, shall be stored within not more than one completely enclosed accessory storage building with a floor area not in excess of 5,000 square feet and/or within an outdoor area not in excess of one acre. An office for such home-

Code of McLean County, Illinois, Section 350, Zoning Ordinance
Article VI – Use Regulations

based off-premises business may also be located within such completely enclosed accessory storage building.

- (5) No more than 25% of the ground floor area and not more than 50% of the basement of the single-family dwelling on the site of such special use shall be used for the operation of such special use.
- (6) Retail sales and/or wholesale sales shall be prohibited on the site of such special use.
- (7) No more than one home-based off-premises business shall be permitted to operate from any one tract of land.
- (8) Such home-based off-premises business shall produce no offensive noise, vibration, smoke, electrical interference, dust, odors, or heat on the site of such special use.
- (9) Such home-based off-premises business shall not exhibit any outward evidence of such use other than one nameplate not to exceed two square feet in area and attached to the single-family dwelling located on the site of such special use.
- (10) If such home-based off-premises business use of the site of the special use is discontinued for a continuous period of 180 days or more, the special use for such home-based off-premises business shall become void and of no legal effect as though it was not granted.

SS. Freight terminal and trucking facility. The following standards shall apply to all freight terminals and trucking facilities: **[Amended 6-18-2002]**

- (1) Motor vehicles and equipment used in the operation of such a facility shall not exceed the official weight limits on the public streets and highways which provide access to the site of the facility. The permit applicant shall provide a certified listing of the gross weights of all equipment and motor vehicles used in the operation of the facility.
- (2) Such facility shall be located at least 300 feet from any R-1 or R-2 Zoning District.
- (3) Driveways, parking lots and vehicle and equipment storage areas shall be graded and paved with asphalt, concrete, or other hard-surface materials as approved by the County Engineer.
- (4) Lighting shall be installed for safety and security purposes only. All lighting shall be shielded so that no glare extends substantially beyond the boundaries of a facility.

TT. Warehouse, self-storage. The following standards shall apply to all warehouse self-storage facilities: **[Amended 6-18-2002]**

- (1) All self-storage facilities shall be limited to the rental of storage bays and the pickup and deposit of goods or property in dead storage.
- (2) Use of storage bays shall be limited to storage of personal goods.
- (3) Storage bays shall not be used to manufacture, fabricate or process goods; service or repair vehicles, boats, small engines, or electrical equipment or to conduct similar repair activities; conduct garage sales or retail sales of any kind; or to conduct any other commercial or industrial activity on the site.
- (4) Individual storage bays or private postal boxes within a self-storage facility shall not be considered premises for the purposes of assigning a legal address in order to obtain an occupational license or other governmental permit or license to do business nor as a legal address for residential purposes.

KEITH MORGAN FARMS

23741 E. 200 North Rd. Le Roy, IL 61752 Phone: (309) 962-9664 Fax: (309) 962-9213 email: kmti1952@gmail.com

February 27, 2020

TO: Mr. Phil Dick, Administrator
Mc Lean County Zoning Office

RE: Request for Text Amendment to
Article VI – RR

I am requesting a Text Amendment to Article VI-RR (1) to read “.....*and not more than **four (4)** other persons who are not a bona fide resident of such single-family dwelling.*” This change would greatly facilitate the office work being done on a timely basis for both our farm and trucking businesses, as well as to free up time for me to focus on farming tasks outside the office and to serve our trucking customers more effectively.

If the text amendment is approved, I will then apply to amend my Special Use Permit to take additional employees into account and to build a combined farm and trucking office.

Thank you in advance for your help in getting the Text Amendment heard and then approved by the Mc Lean County Zoning Board of Appeals at their next set of meetings .

Sincerely,

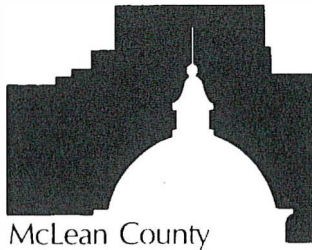


Keith Morgan

RECEIVED

FEB 28 2020

ZONING



Department of Building & Zoning
(309) 888-5160 www.mcleancountyil.gov
115 East Washington Street, Room M102, P.O. Box 2400,
Bloomington, Illinois 61702-2400

COUNTY ZONING NOTICE

NOTICE is given that a public hearing will be held on Tuesday, May 5, 2020 at 7:00 PM in Room 400, Government Center, 115 E. Washington St., Bloomington, IL via virtual space concerning an application of Keith Morgan in case ZA-20-02. This is a text amendment of the Zoning Ordinance of the Code of McLean County Chapter 350, Section 350-43, RR (1), Use Standards, to allow employment of not more than four other persons, rather than not more than one other person, who is not a bona fide resident of such single-family dwelling in a Rural home-based off-premises business. Testimony by email will be accepted at bldgzon@mcleancountyil.gov and read into the record if received by 4:30 PM on Friday, May 1, 2020. If you choose to provide comment in person, requests must be sent to the Department of Building & Zoning by 4:30 PM on Friday, May 1, 2020 at bldgzon@mcleancountyil.gov. Since the Governor's Executive Order 202010 allows no more than ten people to convene in one place, public comment via email is suggested. The public hearing may be viewed from the following link: <https://www.mcleancountyil.gov/> and on YouTube with the following link: <https://www.youtube.com/channel/UCM0IU0VsDktsIwreZQMCnXQ>.

The application is available for review on the County website at <https://www.mcleancountyil.gov/>.