



AGENDA
McLEAN COUNTY ZONING BOARD OF APPEALS
Tuesday, October 6, 2020
115 East Washington St., Rooms 400 & 404, Bloomington, IL
And Via Remote Attendance

CALL TO ORDER BY CHAIR

ROLL CALL BY SECRETARY AND DECLARATION OF A QUORUM

APPROVAL OF MINUTES

APPEARANCE BY MEMBERS OF THE PUBLIC ON NON-AGENDA RELATED TOPICS (*An opportunity is provided for members of the public to address the public officials **on matters not listed below**. Public comment will not exceed 20 minutes. Each member of the public will be allowed 3 minutes of commentary. To promote health and safety, we encourage individuals or groups to email public comment statements to County Administration at admin@mcleancountyil.gov by Monday, October 5, 2020 at 4:30 pm. Statements received by the deadline will be read aloud as part of the record, pursuant to the time listed above. The entirety of the statement will be placed in the official minutes, even if the statement reads longer than the time limit allows.*) If you choose to provide comment in person, requests must be sent to the Department of Building & Zoning by 4:30 PM on Monday October 5, 2020 at bldgzon@mcleancountyil.gov.

MEMBERS OF THE PUBLIC WHO WISH TO ADDRESS THE ZONING BOARD ON AGENDA ITEMS may present testimony in person, by Email to bldgzon@mcleancountyil.gov, or email bldgzon@mcleancountyil.gov to receive a link to hear discussion and give remote testimony contemporaneously by 4:30 PM on Monday, October 5, 2020. We will adhere to Phase 4 direction by the Governor which limits the number of individuals who can gather in the County Board Room. In person attendance will be on a first come basis. Recommended social distancing protocols will be adhered to, and public comment via email is suggested.

7:00 P.M. – Case SU-20-11, an application of Yates Township, in case SU-20-11 on parcel 04-03-453-001. This is a request for a special use to allow a Government Service Building in the R-1 Single Family Residence District on property in Yates Township at 31272 Third St., Chenoa, IL. This is a recommendation to the County Board.

7:15 P.M. – SU-20-12, an application of Caleb and Jordan Miller in case SU-20-12 on parcel 07-31-300-009. This is a request for a special use to allow a single-family residence in the A-Agriculture District for the son of farm owners on property in Hudson Township immediately North of 2000 North Rd. approximately ½ mile east of 1200 East Rd. This is a recommendation to the County Board.

7:30 P.M. – Case ZA-20-03, an application of Geronimo Energy in case ZA-20-03. This is a text amendment of the Zoning Ordinance of the Code of McLean County Chapter 350, Zoning Section 350-43, OO(2)(j), Use Standards, Height. The permitted maximum height of a WECS tower shall not exceed ~~550~~ 675 feet. (Additions are indicated by text and stricken material by ~~text~~; and a WECS tower is a Wind Energy Conversion System tower). This case is continued from the September 1, 2020 ZBA meeting. This is a recommendation to the County Board.

DISCUSSION OF PETITIONS

NEXT MEETING DATE – 7:00 P.M., Monday, November 2, 2020 – **Note that this is a special time due to County Buildings being closed on election day which is Tuesday, November 3, 2020.**

ADJOURNMENT

RECORD OF MINUTES

McLEAN COUNTY ZONING BOARD OF APPEALS

Tuesday, September 1, 2020

By Remote Attendance and Room 404, Government Center

115 E. Washington Street, Bloomington, Illinois

1. CALL TO ORDER: Chair, James Finnigan called the meeting to order at 7:00 PM.
2. ROLL CALL: Secretary Philip Dick called the roll and noted the presence of a quorum as follows: James Finnigan, Rick Dean, Mary Beth Taylor, Michael Kuritz, Julia Turner, Brian Bangert and Ruth Novosad. No members were absent. Also present were Darrell Mitchell, Zoning Enforcement Officer, Chris Spanos, First Civil Assistant State's Attorney, Samantha Vasquez, Assistant State's Attorney, and Camille Rodrigues, County Administrator.
3. APPROVAL OF MINUTES: Motion was made by Kuritz/Novosad to approve the minutes from the August 4, 2020 Zoning Board of Appeals meeting.

The roll call vote was seven members for the motion to approve, none opposed, and no members were absent.
4. APPEARANCE BY MEMBERS OF THE PUBLIC: Secretary Dick announced that no one notified the Department of Building and Zoning that they wanted to speak or submit a written communication on matters not on the agenda. And no one responded when Chair Finnigan called for persons to speak.
5. Secretary Dick read the following information into the record:

“If any case is finished and the ZBA has discussed it and voted on it, the case will be considered complete. If any case is not finished or if the go to meeting system crashes or the ZBA members are not able to adequately communicate before a vote is taken on a case by the ZBA, the case will be continued until 7:30 PM on Tuesday, October 6, 2020. Please contact the Department of Building and Zoning at 309-888-5160 for a link to this meeting.

The ZBA bylaws allow the chair to impose time limits on opening, closing or other statements or questions or any portion of the proceedings. The Chair will limit questioning of witnesses to one series of questions per person per witness.

A note for those watching via YouTube live stream: The YouTube stream is not an interactive medium. Any comments on the YouTube live stream are not monitored and will not be addressed in the meeting. The only public comments or other testimony that will be addressed are those that have been submitted in accordance with the published agenda for this meeting.

Please mute your phones or computers and turn your cameras off unless you are on the ZBA or you are approved to speak.”
6. REGULAR AGENDA:

Case ZV-20-09, application of Nicholas Safranek in case ZV-20-09 on parcel 08-29-301-001. This is a request for a variance in maximum area of accessory buildings to allow 1,826 square feet rather than 1,500 square feet as allowed in the R-1 Single Family Residence District on property in Money Creek Township at 3 Fox Creek Rd., Towanda, IL

Secretary Dick called the case, provided exhibits to the board and submitted a staff report for review. He indicated the seven standards for a variance are met.

Nicholas Safranek, 3 Fox Creek Rd., Towanda, IL appeared to give testimony and was sworn. Mr. Safranek indicated that he needs the proposed building to store his vehicles and equipment.

The board reviewed and discussed the seven standards and found them met.

Motion was made by Kuritz/Turner to approve case ZV-20-09.

The roll call vote was seven members for the motion to approve, none opposed, and no members were absent.

Case ZV-20-10, application of Nathan Edwards in case ZV-20-10 on parcel 20-35-276-010.

This is a request for a variance in front setback requirements to allow a detached garage to be 6' from the property line rather than 30' as required in the R-1 Single Family Residence District on property in Dale Township at 10823 Lafayette St., Shirley, IL.

Secretary Dick called the case, provided exhibits to the board and submitted a staff report for review. He indicated the seven standards for a variance are met.

Nathan Edwards, 10823 Lafayette St., Shirley, IL appeared to give testimony and was sworn. Mr. Edwards indicated that his existing garage is in bad shape and needs a larger garage in which to store two cars.

The board reviewed and discussed the seven standards and found them met.

Motion was made by Dean/Bangert to approve case ZV-20-10.

The roll call vote was seven members for the motion to approve, none opposed, and no members were absent.

Case ZA-20-05, application of Geronimo Energy in case ZA-20-03. This is a text amendment of the Zoning Ordinance of the Code of McLean County Chapter 350, Zoning Section 350-43, OO(2)(j), Use Standards, Height. The permitted maximum height of a WECS tower shall not exceed ~~550~~ 675 feet. (Additions are indicated by text and stricken material by ~~text~~; and a WECS tower is a Wind Energy Conversion System tower). This case was continued from the August 4, 2020 ZBA public hearing.

Secretary Dick read three communications from people who submitted written requests to be read into the record of this public hearing: 1) Gary and Amy Butler, 28355 N 2360 East Rd., Chenoa, IL, 2) Sandra Whalen, and 3) Laurie Sleeter, 23903 N 2900 East Rd., Lexington, IL.

Catherine Metsker, 20645 N 825 East Rd., Carlock, IL, appeared to give testimony and was sworn. Ms. Metsker indicated that she lives near wind turbines and that when she walks near her home, she hears a constant noise from the turbines. She indicated that 675 feet is way too large.

Travis Taylor, 28686 N 350 East Rd., Chenoa appeared to give testimony and was sworn. Mr. Taylor indicated that there is a lack of oversight on the wind farm projects. He said that since EDPR built their turbines around him, his cell phone and internet service have been disrupted, his water from his well has been impacted with the water smelling of sulfur and containing sediment that it did not before the wind farm.

Tim Jolly, 2700 North Rd, Chenoa, IL appeared to give testimony and was sworn. Mr. Jolly said that he objects to such a public hearing where people cannot meet face to face. He said that he lives 2,000 feet from a turbine, that he is a mail carrier and that he has had two vehicles ruined by the damaged roads. He said that Geronimo did not provide data that shows bigger

turbines make less noise. He said that larger turbines would kill more birds and bats and would be a bigger imposition. Mr. Jolly indicated that he and many other people have made numerous complaints to the Zoning Office, Invenenergy and to the County Engineer, and it doesn't do any good.

James Griffin, 70 W. Madison St., Chicago, IL, indicated that he had information to provide in rebuttal. He said the larger turbines would need to meet the requirements of the Illinois Pollution Control Board.

Michael Morris, 8400 Normandale Lake Blvd., Bloomington, MN, provided a PowerPoint presentation that helped him show that raising turbine height does not increase sound level.

Ben Adamich, 8400 Normandale Lake Blvd., Bloomington, MN indicated that turbine blades are made of a fiberglass and a wood composite. He indicated that since some of the older turbines are being replaced, they are figuring ways to recycle the turbine blade materials.

Member Mary Beth Taylor requested Secretary Dick to provide the number of complaints that he received about wind farm construction at the next meeting.

Chris Spanos, First Civil Assistant State's Attorney, indicated that since some people who are attending the meeting by phone could not view the PowerPoint presentation that the applicant displayed in rebuttal, the ZBA meeting would need to recess until the next meeting to give the opportunity for all to view the PowerPoint presentation.

The Chair declared that this hearing is in recess and the public hearing for case ZA-20-03 would continue at 7:30 PM on October 6, 2020.

7. ADJOURNMENT:

The Chair declared the meeting adjourned at 8:47 PM.

Attachments: Communications from the following persons: 1) Gary and Amy Butler, 28355 N 2360 East Rd., Chenoa, IL, 2) Sandra Whalen, and 3) Laurie Sleeter, 23903 N 2900 East Rd., Lexington, IL.

Dick, Philip

From: McLean County Administration
Sent: Monday, July 20, 2020 7:10 AM
To: Dick, Philip; Rodriguez, Camille; Knapp, Don
Subject: FW: Comments for ZA-20-05

Below was in the Administration Mail box.
Thank you
Julie

-----Original Message-----

From: Gary Butler <gwbalb73@yahoo.com>
Sent: Sunday, July 19, 2020 8:39 PM
To: McLean County Administration <admin@mcleancountyil.gov>
Subject: Comments for ZA-20-05

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I moved into my new home 15 years ago about right now. Never in my wildest dreams did I imagine that I would be sitting here this evening watching a interrupting flash on my walls caused by the giant wind turbans just west of my home. When is enough
- enough! You have set the parameters for these projects why would you even consider adjusting these? I also believe allowing another permit for additional wind projects should be carefully reviewed. Consider everyone who is affected by such construction. How much did the value of my property decrease no one can guess but I am positive it has not increased. The county board has sold our farmland and rural residences out for the almighty dollar!

Gary and Amy Butler
28355 N. 2360 East Rd
Chenoa, Illinois
Sent from my iPad

RECEIVED
JUL 20 2020
ZONING

Dick, Philip

From: Sandy Whalen <jswhalen2@hotmail.com>
Sent: Monday, August 3, 2020 8:48 AM
To: Dick, Philip
Subject: Geronimo Energy ZA-20-03

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

August 4, 2020

To: McLean County Zoning Board

I am aware of a request by Geronimo Energy to build wind turbines 675', exceeding the present 550' by 125'! Why do bigger turbines need to be built in McLean County? I thought the Land Use Committee set up standards to be followed and not changed! I have farm ground in the middle of EDPR's wind farm and am deeply saddened what has happened to beautiful country living in some of America's Heartland. Northeastern McLean county has become an industrial park! I notice all but 1 of the Land Use committee members live in the city. Have any of you ever driven to the country to observe what you have approved? Bill Flick wrote a list of things to do during this pandemic in his Sunday column, "Find one of those wind turbines swirling mightily out in the sticks (that's what farm country is to him), get underneath and listen to the creepy w-h-o-o-s-h, w-h-o-o-s-e sounds of a device so huge, at 360 feet tall (EDP's are 550'), each turbine sweeps an area well over an entire football field." The turbines he is speaking of is the Twin Groves Wind Farm east of Bloomington (they are 360'). The huge EDP turbines also make a noise (serrated blades do nothing & you can hear the head turn on certain days).

Please do not change the standards and approve taller wind turbines to be built. According to the National Wind Watch, bigger turbines don't run more efficiently than smaller ones, and they require a larger area around them. Preserve country living!

Sincerely,
Sandra Whalen

Dick, Philip

From: Laurie Sleeter <lexingtonian@frontier.com>
Sent: Monday, August 31, 2020 4:29 PM
To: Dick, Philip
Subject: Testimony for ZBA Sept. 1

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Dear McLean Co. Zoning Board members,

Thank you for listening to my concerns. My name is Laurie Sleeter, and we live in the midst of the Blooming Grove wind turbine project in northeastern McLean Co. My address is 23903 N. 2900 East Road in Lexington.

Completed on August 12, the closest turbine to our home is directly west of our house, and it's not turning yet. We have a 1,000 foot lane. The turbine is approximately 1,000 feet from our lane, totaling 2,000 feet, which is only a 25 feet difference as the upcoming setback distance requirement for the 675 feet turbines. You may say the setback has not been determined, however, it should be taken into consideration now. A bean field surrounds our house, and is farmed by my family. If the sun were out today, the turbine's shadow is 1500 feet long, and covers the bean field for about 500 feet towards the west. Once the sunset moves farther south, the shadow flicker will be well into, and directly on, our lane and our property. Since this 500 foot turbine shadow is 1500 feet long, with 500 feet of shadow on our property, the taller, 675 foot turbine's shadow would be roughly 3 times the height, at 2,025 feet — and would completely cover our house. Is this what you want rural residents to experience? Remember, the blades have not started spinning yet.

And, the maximum time for shadow flicker on anyone's house is 30 hours per year.

I do not understand why Geronimo is allowed to decide the height of a turbines, not the ZBA or McLean Co. Board, as they have been paying landowners in McLean Co. for use of their property for over 2 years. How in the world would this project be turned down at this point? What is the purpose of this meeting? Have you ever said "no" to a project that's been going on for over 2 years? What is the purpose of the ZBA if you don't need data from established 675 feet turbines in noise, vibration, wildlife, decommissioning, etc.to make your decision? How can you rely on having zero data to base your decision on?

I appreciate your questions at the last meeting on Aug. 4. Although, no answers were provided. Is that good enough?

Why is the FAA height maximums not an issue any longer? That was a big discussion point in the Blooming Grove project. Will crop dusters be able to operate safely?

Although the turbines in our area have completed construction, the high amount of traffic remains, so I disagree with Geronimo's claim that there will be "less traffic." Our road, now graveled, widened, and constantly watered and holes filled, would be the same whether less or more turbines were built. Roads still need to be prepared and maintained for any construction project, and the amount of turbines built have little impact on the types of traffic, I feel, perhaps not the frequency. Either way, the traffic is very disruptive: few or many turbines constructed. I feel it should not be a basis for your decision.

The other items on tonight's agenda include two garages for two individuals. This turbine height increase affects 170,000 residents in McLean Co. It's apples and oranges, yet, the same method is used – an online discussion, which greatly limits the amount of participants. I feel this issue should be delayed until COVID-19 restrictions are lifted. Geronimo has already stated their project may not begin construction for another year, or a year and a half.

So the question remains: Why make this recommendation now? Are you doing Geronimo a favor, or representing the residents of McLean Co? Which is more important?

I believe each citizen's testimony should bear more weight, as people who are present have chosen to serve on the Zoning Board. I believe that each person taking the time to speak or submit their viewpoint stands for at least 500-1,000 citizens of McLean Co. who believe they cannot make a difference and have decided it's not worth the effort. This is sad.

At the last meeting, no one was present from West and Bellflower townships, which indicate, to me, no one knows. This type of situation happened in our Lexington/Chenoa townships - no one knew. Either the wind companies deliberately keep folks out of the loop, or no one pays attention - or reads the legal notices, unfortunately! I'm guessing Geronimo has done a good job contacting the landowners and I also feel everyone who is not a large landowner is unaware of the changes to come. Why is there not a procedure for contacting people who live within the project area? And a good neighbor agreement? If you were to mention the "Sapphire Sky" project to anyone in southeastern McLean Co., would anyone know what you're talking about? I've checked with my fellow editor in that area, and she knew nothing.

Yes, my concerns may be better addressed when Geronimo applies for their permit; however, shouldn't the facts certainly be taken into account now? At this early time, only one entity will benefit from an approval, and it's Geronimo.

It's been very quiet and peaceful out here in the country. Very soon, the humming, whooshing of the nearly 25 wind turbines surrounding my home will start, however, I know exactly what to expect from John Slagel's excellent sound map - and I am DREADING that time. You based your decision on other wind projects from real data from sound studies, etc. Now you are basing your decision on only one thing: a request from this company. Is that enough information to make a wise choice?

Thank you.

STAFF REPORT FOR A SPECIAL USE

McLean County Department of Building and Zoning

CASE NUMBER SU-20-11

1. REFERENCE:

- a. Hearing date: October 6, 2020
- b. Applicant's name and address: Yates Township, 31272 Third St., Chenoa, IL 61726 by Clayton Rosenberger
crfarms@maxwire.net
- c. Landowner's name and address: Same

2. LOCATION AND CURRENT/PROPOSED ZONING AND LAND USE:

- a. Property location: 31272 Third St., Chenoa, IL
- b. Township: Yates Township
- c. Parcel Number: 04-03-453-001
- d. Existing zoning: R-1 Single Family Residence District
- e. Applicant request: A special use to allow a Government Service Building in the R-1 Single Family Residence District
- f. Existing land use: Township government building

3. DIMENSIONS:

- a. Size of Parcel: 2.9 acres
- b. Road Frontage: 316 feet on west side of Third St. and 400 feet on the south side of Ash St.

4. EXISTING LAND FEATURES:

- a. Topography: Relatively flat
- b. Drainage: Drains to the west
- c. Vegetation: Grass and trees
- d. Public Road: Oil and chip road 19 feet in width

5. SURROUNDING ZONING:

- a. North: R-1 Single Family Residence District
- b. South: R-1 Single Family Residence District
- c. East: R-1 Single Family Residence District
- d. West: Agriculture District

6. SURROUNDING LAND USE:

- a. North: Residences
- b. East: Residence and vacant lot
- c. South: Crop production
- d. West: Crop production

7. STAFF ANALYSIS: The analysis of the seven standards listed in Article VIII Section 350-56 of the McLean County Code (Standards for Special Use Permits) as they apply to this zoning request is as follows:

- 1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. The applicant has operated a township road maintenance building on this property for many years. The main building on the property, which the applicant proposes to continue using, was built in

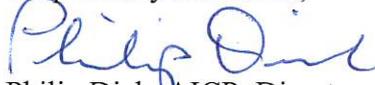
1978. The applicant proposes to remove an old outdated wooden building to the south of this building and replace it with a steel-clad pole building in the general area of this old building. The outdated wooden building was built before zoning was established in the County and is located closer than regulations allow to the south and east property lines. The applicant obtained an administrative variance in case ZV-20-11 to allow the proposed new building to be 27 feet from the south property line rather than 30 feet as required. The new building would meet the required front setback requirement of 30 feet from the east property line. The applicant needs this new building to maintain equipment used to maintain and repair Yates Township roads.

2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The property has been occupied by township buildings for many years. The proposed new building will replace an old one that is closer to the south and east property lines than the proposed new building. Nearby land in residential use and in crop production would continue to be desirable for such uses.
3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. Nearby land in residential use and in crop production would continue to be desirable for such uses.
4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The County Health Department has signed-off on the proposed special use. The property has 316 feet of frontage on the west side of Third Street and 400 feet on the south side of Ash St. The Chenoa Fire Protection District provides fire protection for the subject property.
5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.** This standard is met. The existing entrance to the subject property appears to meet safe sight distance requirements.
6. **The establishment, maintenance and operation of the special use will be in conformance with the intent of the district in which the special use is proposed to be located.** This standard is met
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the district in which it is located.** This standard is met.

8. **CONCLUDING OPINION:**

Staff recommends that this application meets all of the standards set forth in Article VIII Section 350-56 (Standards for Special Use Permits) of the McLean County Code.

Respectfully submitted,


Philip Dick, AICP, Director

Attachment: Plans

Ash Street

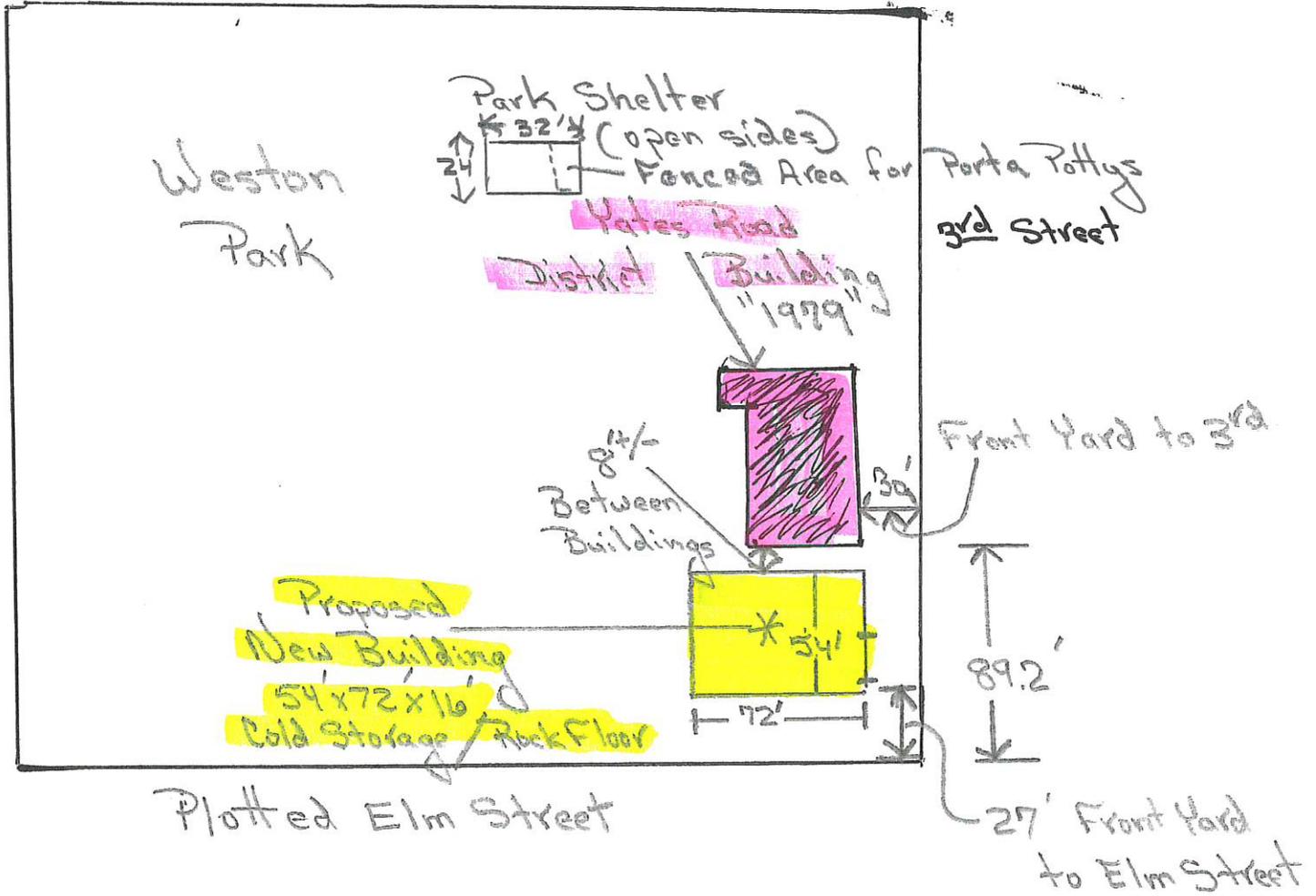


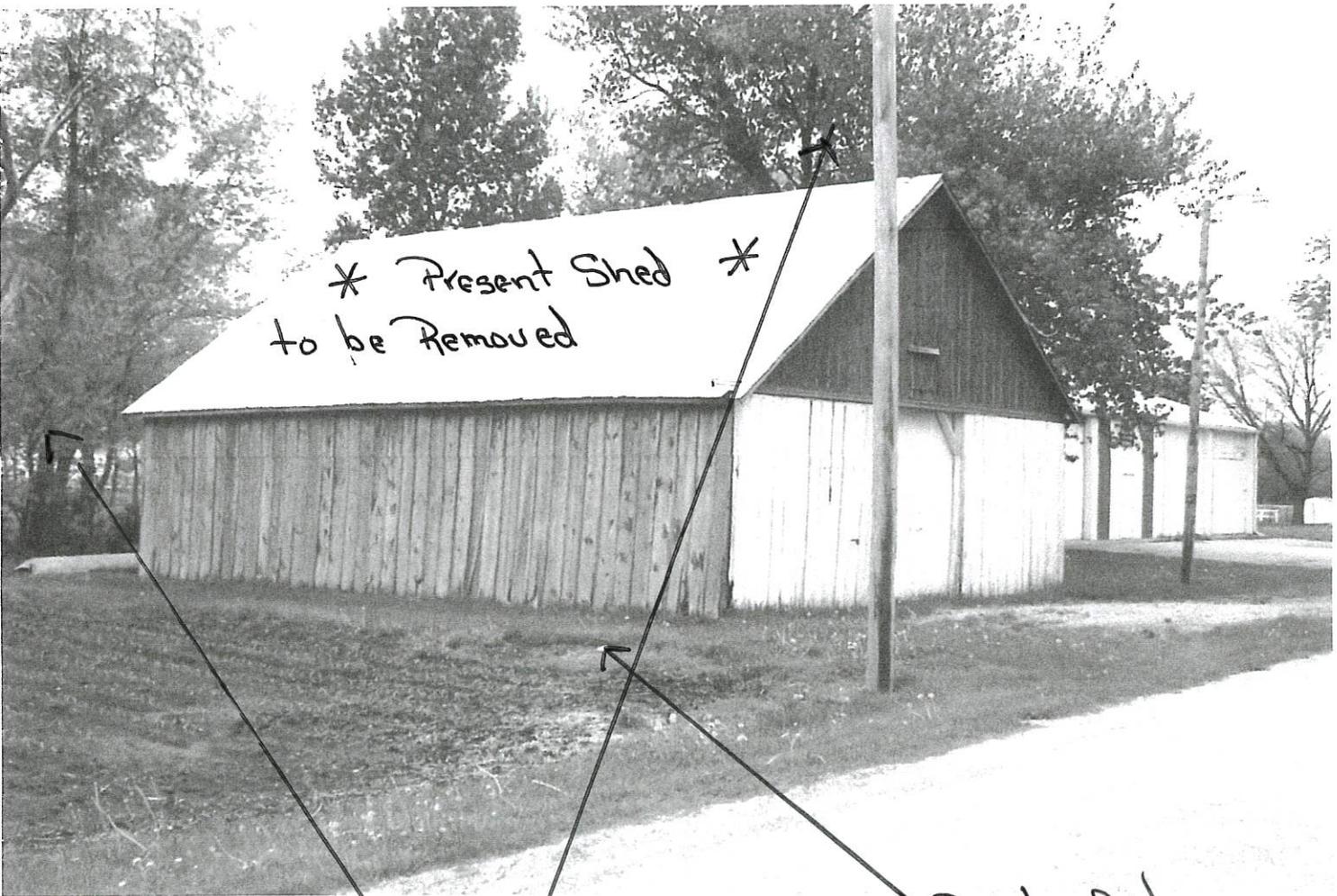
Exhibit A

* Present Shed *
to be Removed

Right-of-Way
Marker

Trees Removed
to make room for New Building

Exhibit B



STAFF REPORT FOR A SPECIAL USE

McLean County Department of Building and Zoning

CASE NUMBER SU-20-12

1. REFERENCE:

- a. Hearing date: October 6, 2020
- b. Applicants' names and address: Caleb and Jordan Miller, 404 S. McLean St., Hudson, IL 61748, caleb.miller@beckshybrids.com
- c. Landowners' names and address: Randy and Renee Miller, 12447 E. 2100 North Rd., Hudson, IL 61748

2. LOCATION AND CURRENT/PROPOSED ZONING AND LAND USE:

- a. Property location: Immediately North of 2000 North Rd. approximately ½ mile east of 1200 East Rd.
- b. Township: Hudson Township
- c. Parcel Number: 07-31-300-009
- d. Existing zoning: A-Agriculture District
- e. Applicant request: For a special use to allow a single-family residence in the A-Agriculture District for the son of the farm owners
- f. Existing land use: Crop production

3. DIMENSIONS:

- a. Size of Parcel: 5.3 acres
- b. Road Frontage: 300 feet on the north side of 2000 North Rd.

4. EXISTING LAND FEATURES:

- a. Topography: Relatively flat
- b. Drainage: To the north
- c. Vegetation: Crop production
- d. Public Road: 2000 North Rd. is an asphalt road 17.5 feet in width

5. SURROUNDING ZONING: A-Agriculture District on all sides

6. SURROUNDING LAND USE:

- a. North: Crop production
- b. South: Crop production
- c. East: Crop production
- d. West: Crop production

7. RESIDENTIAL USES: Article 5 Section 350-35.G provides for methods to allow new single family residences in the Agriculture District as permitted uses or as special uses based on the following three criteria: (1) if the residential use is found to be necessary for the conduct of agriculture in the area; (2) if the lot is found to be undesirable for other uses permitted in the district; or (3) if constructed on a lot set aside from a tract of land, the principal use of which is agriculture, provided that such dwelling is initially occupied by a child, parent or spouse of the owner of the original agricultural tract from which such lot is set aside for residential purposes.

This application is filed under the 3rd criteria; one of the applicants is the son of the farm owners. The applicant's parents own the farm from which this 5.3-acre tract is being set aside. The Zoning Ordinance allows a non-farm residence for the son or daughter of the farm owner.

8. LAND EVALUATION SITE ASSESSMENT (LESA) REPORT:

McLean County Soil and Water Conservation District staff report on soil for subject site:

- a. Soils -- Score of **80.9** points out of a maximum possible evaluation score of **100** points.

McLean County Building and Zoning Department staff report on site assessment for the subject site:

- b. Site Assessment -- Score of **160** points out of a maximum possible evaluation score of **200** points.
- c. Total LESA review score is **240.9 points** out of a maximum of **300** points.

EVALUATION RESULT:

The LESA Report indicates that a total score of **230 points and above** means that the property is of **high** value for agricultural land protection.

- 9. STAFF ANALYSIS:** The analysis of the seven standards listed in Article VIII Section 350-56 of the McLean County Code (Standards for Special Use Permits) as they apply to this zoning request is as follows:

1. **The proposed special use will not be detrimental to or endanger the health, safety, morals, comfort, or welfare of the public.** This standard is met. One of the applicants is the son of the owners of the agricultural tract from which this property is being set aside. The proposed special use will not endanger the health, safety, morals, comfort or welfare of the public.
2. **The proposed special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted or substantially diminish property values in the immediate area.** This standard is met. The proposed dwelling for the son of the farm owners of the agricultural tract is compatible with uses in the vicinity.
3. **The proposed special use will not impede the orderly development of the surrounding property for uses permitted in the district.** This standard is met. One of the applicants is the son of the owners of the agricultural tract from which this property is being set aside. Nearby land that is suitable for crop production will continue to be suitable for such use.
4. **Adequate utilities, access roads, drainage and/or other necessary facilities have been or will be provided.** This standard is met. The Health Department recommends approval of this special use. The proposed dwelling will be served by a private well and septic system that will need to be approved by the County Health Department. The property has 300 feet of frontage on the north side of 2000 North Rd.

5. **Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.** This standard is met. It appears that safe sight distance can be provided at the proposed entrance on 2000 North Rd. The applicants will need to obtain an entrance permit from the Hudson Township Road Commissioner before they can obtain a construction permit.
6. **The establishment, maintenance and operation of the special use will be in conformance with the intent of the district in which the special use is proposed to be located.** This standard is met.
7. **The proposed special use, in all other respects, conforms to the applicable regulations of the district in which it is located.** This standard is met. In the Agriculture District, the Zoning Ordinance allows a non-farm residence for the son or daughter of the farm owner.

10. CONCLUDING OPINION:

Staff recommends that this application meets all of the standards set forth in Article VIII Section 350-56 (Standards for Special Use Permits) of the County Code, provided that one of the initial occupants is Caleb Miller, the son of the owners of the farm property from which this property is being set aside, and provided an entrance permit is obtained from the Hudson Township Road Commissioner before a construction permit is issued.

Respectfully submitted,



Philip Dick, AICP, Director