

**Jo Daviess County Planning Commission/Zoning Board of Appeals
Minutes for Meeting
At the Courthouse-7:00 PM
December 16, 2014**

Call to Order: Mel Gratton called the meeting to order at 7:00 p.m.

Roll Call Present:

Planning Commission:

- ✓ Melvin Gratton
Nick Tranel
- ✓ Laura Winter
Ron Mapes
- ✓ Gary Diedrick
Jody Carroll, Alternate

Staff & County Board Members:

- ✓ Steve Keeffer, Highway Engineer
Matt Calvert, JDC Health Dept.
John Hay, State's Attorney
- ✓ Linda Delvaux, Building & Zoning
- ✓ John O'Boyle, JDC Board Member

Approval of Minutes: A motion was made by Gary Diedrick to accept the November minutes. Seconded by Mel Gratton. Voice Vote: All Ayes

Mel Gratton swore in all who might want to testify on any request this evening.

New Business

Steve & Dixie Birkbeck, owners, (address: 7958 W Council Hill Road, Galena), and Brandon Birkbeck, petitioner, (address 7960 W Council Hill Road, Galena IL), requesting a one (1) lot subdivision, a variance from the required 150' of road frontage and a five (5) foot variance from the rear lot line setback requirement of forty (40) feet. Common Location: 7960 W Council Hill Road, Galena

Staff Report

- Comprehensive Plan: The Comprehensive Plan would indicate this parcel to be in Agricultural Preservation Area 2, with a mix of not prime farmland and farmland of statewide importance. The statewide important farmland is land that although it does not qualify as prime farmland it can have a positive impact on the production of food, feed, fiber, forage and oilseed crop production. This particular parcel is approximately 3.8 miles north of the City of Galena and is close to an area identified as having a high probability of Archaeological Resources. Although this is an existing residence, the County's Comprehensive Plan recognizes that home building provides an enormous infusion of dollars to the local economy. It contributes not only the construction value of the homes but also increases the tax base and provides hundreds of well-paying jobs. The County recognizes the importance of this sector of the local economy. At the same time The Comprehensive Plan also recognizes concerns with rural residential development such as: increased loss of farmland, nuisance conflicts with agricultural uses, increased cost of

services such as fire, ambulance, police and school bus transportation traveling longer distances as well as concerns about proliferation of septic systems and safety with access points.

- Waste Treatment: The existing septic system was installed 11/21/89 and meets current code for a two bedroom house. The septic tank and drainfield are located east of the house. According to the USDA Soil Survey, soils on the lot, except for the southeast corner, are Group I and suited for a conventional septic system as a replacement. The well is located northwest of the house. The division of this parcel would place the house and the septic drainfield on two different parcels. A recorded easement will be needed for the septic drainfield if the proposed parcel lines are not moved further east.
- Access Considerations: This site is served by an existing entrance onto Jo Daviess County maintained Council Hill Road. The existing entrance has adequate sight distance and no changes are being proposed.
- Other Considerations: This property is surrounded by mostly agricultural uses with several smaller residential parcels to the south. This home was built prior to 1995, when zoning became effective, and qualifies for 8-3A-2, C, Existing agricultural and nonagricultural residences on a lot created by the separation of the residence from a larger lot, should the variance and subdivision be approved. Even though the Zoning Ordinance allows for the separation of the home and a special use permit is not being pursued, for informational purposes, a LESA was done. The Land Evaluation score on this property is 52.4, which is below the County average of 62.2 with an overall LESA score of 202. Some of the contributing scores to the Site Assessment end of the LESA were the percent of Agricultural land adjacent coming in at 25 points, percent of land in agriculture within 1 mile coming in at 15 points, commitment to agriculture adjacent to site at 15 points, availability of public water and sewer came in at 10 points each, soil suitability came in at 20 points and the consistency with the County Comprehensive Plan came in at 20 points.

Steve Birkbeck, owner

- Requesting a variance from the setbacks and road frontage requirement. We would like to split the 2nd home on the property off to my son. This home was built in the 1940's. We have put money into the home to fix it up. The septic is located on the adjacent property, I have talked to the adjacent property owner and they will be getting an easement for the septic with them. The power supply is above ground and comes in via the driveway access. There is septic replacement area to the west of the house.

Gratton asks about the easement for access

- Steve Birkbeck indicates that it is 66 feet for easement of access. There are two separate wells for the two houses.

Question if there is an easement for the electric company.

- Steve Birkbeck states that the utility company maintains the lines, but does not believe an easement is in place.

Public Testimony

None

Public Testimony Closed

A motion was made by Winter to approve the variance for setback and road frontage stating the following:

The standards have been reviewed and met.

Seconded by Diedrick

Roll Call: Gary Diedrick – Aye Mel Gratton– Aye
Laura Winter – Aye

A motion was made by Diedrick to recommend approval of the one (1) lot subdivision.

Seconded by Winter

Roll Call: Laura Winter – Aye Gary Diedrick – Aye
Mel Gratton– Aye

Reports and Comments:

Diedrick made a motion to adjourn at 7:30 PM. Winter seconded. Voice Vote: All Ayes