

**Jo Daviess County Planning Commission/Zoning Board of Appeals  
Minutes for Meeting  
At the Courthouse-7:00 PM  
March 27, 2019**

**Call to Order:** 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
- ✓ Peter Huschitt, Alternate

**Staff & County Board Members:**

- ✓ Steve Keeffer, Highway Engineer  
Sandra Schleicher, JDC Health Dept.  
John Hay, State's Attorney
- ✓ Eric Tison, Planning & Development
- ✓ Robert Heurman, JDC Board Member
- ✓ Melissa Soppe, Planning & Development

**Approval of Minutes:** A motion was made by Diedrick to approve the minutes of February 27, 2019. Seconded by Tranel. Voice Vote: All Ayes

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

**New Business**

**Richard Family Properties, LLC (Guy Richard, President, Jane Richard, Secretary, Aaron Richard, Operations Manager, Brian Richard, Facilities Manager, PO Box 60, Kieler, WI 53812 and Ben Richard, Operations Manager, 11380 Dandar Street, Galena, IL 61036) owner,** and MasTec, Inc (Jose Mas, CEO, Robert Apple, COO, George Pita Executive VP/CFO, Alberto De Cardenas Executive VP/Corporate General Counsel, 800 S Douglas Road, 10<sup>th</sup> Floor, Coral Gables, FL 33134) and Precision Pipeline, LLC (Steve Rooney, President, Bobby Poteete, Senior VP, Ryan McKone, VP of Project Management, Cody Kaplanek, Director of Infrastructure Division, Bryce Chrudimsky, Project Coordinator, 3314 56<sup>th</sup> Street, Eau Claire, WI 54703) applicant, has petitioned for a variance from the required square footage established in Title 8, Chapter 3, Section 8-3A-4 B.2.; Intensity of Use, Non Agricultural Accessory Area. The petitioner is requesting to vary from the required three thousand six hundred (3,600) square feet to nine thousand (9,000) square feet; a five thousand four hundred square foot (5,400) variance, in order to construct a temporary tent for construction project staging and equipment maintenance. Property is located in the AG Agricultural District. Common Address: 6039 IL Route 84 North, Galena, IL 61036

**Staff**

- Comprehensive Plan: The Comprehensive Plan does not address Variances, but does recognize the importance of planning for future infrastructure such as roadway expansion and utility replacement, and variances should be reviewed with that in mind.

- Wastewater Treatment: The request does not indicate that any water supply or waste treatment is supplied for this structure. There is a septic system serving the original shop building and existing well on the property. The system is located south of the building. The well is located near the western property line, near the highway.
- Access Considerations: The property has an existing entrance onto state maintained Illinois Route 84. Presumably, all IDOT access policy requirements have been met.
- Other Considerations: This request is located on IL 84, just north of Highway 20 in Vinegar Hill Township. As shown on the exhibit included with the application, the applicant is utilizing a portion of the 9+ acre property to stage material and equipment for a Nicor gas pipeline replacement project. Maintenance requirements on construction equipment necessitated the installation of the tent.
- A Precision Pipeline representative had reached out to my office prior to the Christmas holiday in anticipation of this project beginning, in order to inquire about potential staging areas. While not part of our initial discussion, this property proved to be a good fit because of the improvements made to the entrance, as required in the property owner's previously approved special use (11-36) for a truck repair service and new structure. There was also a prior case for rezoning to Industrial (95-22) which was denied.
- The site received authorization under the County Zoning Ordinance, Section 8-5B-1 C. Nonresidential Accessory Uses as being 'determined by the zoning administrator to be appropriate, incidental and subordinate to the principal use on the lot, subject to compliance with any development and performance standard imposed by the Zoning Administrator to ensure land use compatibility'. Unfortunately, the tent did not come up during the initial discussions and only appeared onsite during the week of February 11, at which time staff immediately contacted a representative from Precision Pipeline. The Zoning Ordinance allows for a total of 3,600 square feet of non-agricultural accessory structure on lots over 3 acres (this lot has a total of 9.46 acres). Building code allows temporary structures for 180 days. The tent will be removed per the construction schedule narrative included in the application.

Bryce Chrudimsky, Project Coordinator

- The structure will be used as a maintenance and staging structure and will be removed within 180 days, there are no mechanicals, it will be strictly used for our mechanics and keep our mechanics out of the weather. We installed during one of the deep freezes in February to create safer working conditions.

Gratton states that a smaller structure size would probably not work for the size of equipment you are working on.

- Bryce states most of our equipment sits 15-16 feet tall when in use and when doing maintenance it needs to be fully erect to work on.

**Public Testimony**

None

**Public Testimony Closed**

Gratton states that the size of the temporary structure is not allowed in ordinance

Tison asks if the structure is outlined by the area shown on the map.

- Bryce indicates no it is parallel to Highway 84 and in that same proximity. There are doors on both east and west sides.

Gratton states this is a large variance, but might be reasonable with the size of equipment that is used.

Diedrick asks if the existing access was there.

- Tison indicates that the entrance was required as part of the special use for Guys Towing, this was an IDOT approved commercial grade entrance. The special use was back to 2011, it took them a while to meet requirements from IDOT and that then engages their special use on the property

Huschitt states that this is a large variance, but it being a temporary structure just causes no concern with me with the amount.

Tison indicates that the Building Code dictates the time limit of 180 days for temporary structures and will be down pending weather and completion of the project.

Standards for variance reviewed 1 – no concern; 2 – ok; 3 – ok; 4 – true; 5 – true; 6 – ok; 7- true

A motion was made by Diedrick to approve the variance request as presented stating the following:

1. Standards for variance are met
2. Only applies to this temporary structure, cannot apply to any other structure

Seconded by Winter

Roll Call:	Laura Winter – Aye	Nick Tranel – Aye
	Gary Diedrick – Aye	Mel Gratton – Aye
	Peter Huschitt – Aye	

**Reports and Comments:**

Eric indicates that we were notified that the mine site for Bluestem solar was withdrawn from the lottery until they can do more environmental due diligence.

Tranel made a motion to adjourn at 7:25 PM. Diedrick seconded. Voice Vote: All Ayes