

**MINUTES OF THE
LEE COUNTY ZONING BOARD OF APPEALS**

**Regular Meeting
Thursday, March 3, 2022, at 6:00 p.m.**

**County Board Room
Old Lee County Courthouse, Dixon, Illinois**

**Zoom Video- & Tele-conferencing
Meeting ID: 91539239154
Password: 209840**

**YouTube
<https://www.youtube.com/watch?v=EaM5ZicU45M>**

Board Members

Bruce Forster, Chair
Craig Buhrow, Vice Chair
Mike Pratt, Member
Gene Bothe, Member
Glen Hughes, Member
Rex Meyer, Alternate Member

Staff

Dee Duffy, Zoning Administrator
Charles Boonstra, Lee County State's Attorney
Alice Henkel, Clerk

At 6:05 p.m., Chair Bruce Forster called the meeting to order, and roll was called.

Members present: Forster, Buhrow, Bothe, Hughes, Meyer

Members absent: Pratt (present via ZOOM)

Staff present: Duffy, Henkel, Boonstra

Staff absent: None

The next order of business was the approval of minutes from the February 3, 2022 meeting of the Lee County Zoning Board of Appeals. Glen Hughes made a motion to approve the minutes and a second was discerned. There was no debate. A vote was taken, and the ayes prevailed. Motion passed, 5-0 (Mike Pratt did not vote).

There were no petitions to adjourn pursuant to County's Board vote.

The first order of old business was Petition No. 21-P-1585 by Petitioner Jerad M. Zellhofer. The parcel identification numbers are 13-21-01-101-007, commonly known as 1749 Winding Road, Amboy, Illinois; and part of 02-15-36-300-007, commonly known as 1760 Winding Road, Amboy, Illinois. The property commonly known as 1749 Winding Road is in May Township, and the property commonly known as 1760 Winding Road is in Amboy Township. The parcels are zoned Ag-1, Rural/Agricultural District. Petitioner is requesting that the County elect 10.16 acres of these parcels be designated as a Planned Unit Development (PUD) for the purpose of

manufacturing and production of steel roofing, lawn care and landscaping services, and general carpentry.

Attorney Darla Foulker (substituting for Attorney Courtney Kennedy) was present on behalf of Mr. Zellhofer. Attorney Foulker requested that the Board recess Mr. Zellhofer's matter to the April 7, 2022 meeting. The week prior to the meeting, he received confirmation from the health department as to what would need to be done; however, he needs time to complete the requirements.

Glen Hughes made a motion to recess Petition No. 21-P-1585 by Petitioner Jerad M. Zellhofer to the April 7, 2022 meeting of the Zoning Board of Appeals, and a second was discerned. There was no debate. A vote was taken, and the ayes prevailed. Motion passed 4-1 (Hughes – dissent).

The next order of old business was Petition No. 21-P-1584 by Petitioner Mike Partington. The parcel identification number is 07-08-06-379-003, commonly known as 2400 W. Fourth St., Dixon, Illinois. The parcel is located in Dixon Township and is approximately 1.08 acres in size. The parcel is zoned C-3, General Business District. Petitioner is requesting a special use in a C-3, General Business District, for the purpose of a self-storage facility (miniwarehouse).

Attorney Darla Foulker and Petitioner Mike Partington were present on behalf of the petition. Mr. Partington was sworn in.

The site is the location of the former Dixon Furniture Mart. There are three (3) existing buildings on the property.

Mr. Partington explained that the site is ideal for him because the buildings already exist, and he would only need to build partitions for the storage units. He is proposing a total of 43 storage units; however, he later stated he might cut the unit sizes in half to get more units, depending on his customer base.

The first building, located on the eastern side of the property, would offer climate-controlled storage. Since he plans to develop the buildings in stages based on customer needs, he does not know if the second building will be climate controlled.

Questions from the Board were heard.

All three buildings on the property have heat but he doesn't know if he will offer climate control storage in all buildings because of cost. He would like to get the first building established before he decides what he will do with the second building.

Mr. Partington thinks the units in the first building would be 10 feet by 12 feet and 10 feet by 20 feet in the second building (located in the middle of the property). He did say he might make changes because he has different ideas of what to offer customers based on customer needs.

Mr. Partington said he may connect the first building and the second building with a walkway.

Mr. Hughes asked the size of the interior access doorways. Mr. Partington said the main entrance will be forty-eight (48) inches wide. In the first building, the units will only be accessible from inside the building. He's thinking about having carts with GPS trackers on them for people to

use to move their things through the hallway. He is also considering having a key card or passcode to get into the building. The building will be accessible twenty-four (24) hours a day. He said if a tenant stops paying, their card or code will no longer work.

Mr. Partington said he will be putting a chain link fence up surrounding the property that would have a gate at the entrance. He would like to do something similar to what the IDOT property on located on West Fourth Street has. He doesn't plan to do that initially but that eventually he will add the fence. It would be designed in a way that would not impede traffic on West Fourth Street. There would also be a gate between the second and third buildings.

Mr. Partington said he plans to have outside storage within the fenced area. He also plans to clean up the property by removing volunteer shrubs and weeds from the edge of the property. Later in the meeting, Mr. Partington was informed that there would be landscaping and buffer yard requirements as his property is adjacent to a parcel that does not have the same zoning, per the Lee County Code.

Mr. Partington said he will have security lighting but that he will need to talk to someone and find out what is required. He said he will do whatever is required.

Initially Mr. Partington does not plan to have a sign but that might change. He believes that if he has a sign, it will have to be lit.

The access to the property and parking area is already blacktopped.

There is a garage located in the southwest corner of the parcel that he plans to keep. The shed that is located next to the garage will be demolished.

The parcels located to the west and to the south of 2400 W. Fourth Street are zoned R-2, Single Family Residential District. The parcel to the east is zoned I-1, Planned Industrial District.

Mr. Partington did not have a plan for how outdoor storage would be laid out. He said there isn't a lot of room but that he could probably fit six (6) to eight (8) motorhomes in the lot.

There will not be a manager onsite. Tenants will be able to call Mr. Partington directly if they questions or issues. Mr. Partington will be the only employee.

There will be security cameras that could possibly manipulate so they will not be directed towards adjacent properties. They will not be pointed at the adjacent properties. He has not thought about installing an alarm system.

Mr. Partington said he will not be allowing the storage of flammable or hazardous materials such as gas, liquid gas, paint thinner, etc. at the property. That will be in the tenant's lease that they will have to sign.

Mr. Partington does not know if there will be dumpsters on the property. He said he hasn't thought of it.

Mr. Partington will use PCC for pest control within the buildings.

Mr. Partington was asked if there would be fire partitions between the units. He said if it is required, he will. He might also consider doing it for individual units based on what they are storing. He had not yet contacted the Dixon Rural Fire Department to find out their requirements. He is still undecided as to what materials he will use to build the units. He prefers steel but it is expensive currently.

At this time all units will be accessed from inside the building; however, he may create units with garage doors for outdoor access.

Since there is electricity in the buildings, there is a concern that someone could use a unit for office space or mail drop or some other purposes other than storage. Mr. Partington said that will not be allowed.

Mr. Partington is not sure if there are gutters on the building. He doesn't believe there will be stormwater runoff issues. He does have concerns that the property south of the proposed storage facility may cause runoff onto his property because the adjacent property slopes down towards West Fourth Street.

The City of Dixon has submitted a recommendation in favor of Mr. Partington's proposal.

There were no further questions from the Board.

Questions from visitors, in person or on ZOOM, were heard.

Andrew Hollingsworth was sworn in. He opposes the petition. He feels the site should remain a retail site. He voiced concerns about fire safety and feels the buildings are not appropriately designed for the proposed use. He also feels that since there are other storage units available across the street, that this is not an ideal location for another self-storage business.

There were no other visitors present, either in person or ZOOM, who had comments on this petition.

Mr. Hughes stated that he has concerns about fire safety and reiterated the fact the Mr. Partington has not yet contact Dixon Rural Fire Department to find out what they are going to require. He would require this information because it may impact the findings of fact and the conditions of the special use permit.

Mr. Forster also thinks Mr. Partington should consult with his insurance provider to find out what they will require.

Glen Hughes made a motion that Petition No. 21-P-1584 by Petitioner Mike Partington be recessed to March 9, 2022, at 6:00 p.m., so that Mr. Partington can obtain the fire safety requirements of the Dixon Rural Fire Department and his insurance company. A second was discerned, and there was no debate. A vote was taken, and the ayes prevailed. Motion passed, 5-0 (Pratt did not vote).

There was no other new business.

There was no other business.

A recess was taken at 7:25 p.m. The Board reconvened at 7:35 p.m.

The first order of new business was Petition No. 21-P-1586 by Petitioner Sauk Valley Hydrogen, LLC. The parcel identification number is 15-07-29-300-008, commonly known as 1311 Nelson Rd., Rock Falls, Illinois. The parcel is located in Nelson Township and is approximately 130.70 acres in size. The parcel is zoned I-3, Heavy Industrial District. Petitioner is requesting a special use in a C-3, General Business District, for the purpose of a 845 kW solar energy system to supply electricity to a co-located hydrogen energy system.

Gene Bothe made a motion to engage the services of Retired Judge Tim Slavin to act as facilitator *pro tem*. A second was discerned, and there was no debate. A vote was taken, and the ayes prevailed. Motion passed, 5-0 (Pratt did not vote).

Judge Slavin noted the following persons as personally present at the hearing: Chair Forster, Vice Chair Buhrow, Member Bothe, Member Hughes, Alternative Member Meyer, Zoning Administrator Dee Duffy, Renewable Energy Coordinator and ZBA Clerk Alice Henkel, State's Attorney Charley Boonstra, two representatives for the Petitioner IT Jonathan Hendrickson, Court Reporter Callie Bodmer, and Facilitator Judge Slavin. Member Mike Pratt, Petitioner's Attorney Mike Blazer, and three (3) representatives for the Petitioner were present via ZOOM.

Judge Slavin gave a brief introduction and explained the procedures and rules for this hearing, including public participation via Zoom and public observation via YouTube.

Judge Slavin proceeded with the scheduling of the special hearing dates. The following dates were set aside as possible hearing dates for this petition: March 9, March 14, March 21, and March 30, 2022. The hearing will begin at 6:00 p.m. on these dates.

At 8:02 p.m., Judge Slavin called for recess until March 9, 2022, at 6:00 p.m.

Respectfully submitted,

/s/ _____
Alice Henkel