



Zoning & Subdivision Committee
Tuesday, September 8, 2009

The Zoning and Subdivision Committee met in regular session on Tuesday, September 8, 2009, at 1:32 pm at the LUC Office in East Liberty. Zoning & Subdivision Committee Members were in attendance as follows: Brad Bodenmiller, Scott Coleman, Greg DeLong, Wes Dodds, Charles Hall, Paul Hammersmith, Kyle Hanigosky, Heather Martin, Fereidoun Shokouhi, Jeff Stauch, and Don Walters. Absent member was Jenny Snapp. Guest attending the meeting was Phil Metz, Zoning Inspector for Jefferson Township.

Scott Coleman chaired the Zoning & Subdivision Committee Meeting.

Minutes of the August 11, 2009, meeting was approved as follows: Fereidoun Shokouhi made the first motion to approve the minutes and Paul Hammersmith made the second motion to approve the minutes. All in favor.

1. Review of Small Wind Energy Project Regulation, Paris Township (Union County) – Staff review by Kyle Hanigosky
 - Don – do they have a reason for why they chose that size?
 - Kyle – they felt that the majority of the small wind energy sizes are going to be less than 25 kw
 - Don – they're referring to what's locally available
 - Scott – Recommendation to remove all height requirements, was that removed from LUC's model language? If they wanted a height requirement, do we necessarily recommend that they remove it? LUC's height requirement is 125 feet, compared to the townships 140.
 - Kyle – would you recommend that they keep it as the height in the definition or should it be a condition?
 - Scott – it appears that they want it to be a condition
 - Fereidoun – we need to watch how we put the numbers, it may be conflicting. We should refer them to our model language.
 - Charles – do they require lights?
 - Kyle – FAA requires lights at 200 feet
 - Scott – standards on setbacks were those rations distance to public right of ways and overhead utility lines; were those the same as what we recommended?
 - Greg – Section 1308, 2B, what are major structures? Is that defined?
 - Kyle – no definition; will note it
 - Greg - 1409, Abandonment; does this include underground stuff; just curious
 - Fereidoun – in Champaign County we defined it as 3 feet below grade; for the wires and things you leave them underground



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- Fereidoun Shokouhi made the first motion to accept staff recommendation of denial and recommends the township to incorporate staff and committee comments and Paul Hammersmith made the second motion to accept staff recommendation of denial and recommends to the township to incorporate staff and committee comments. All in favor.
 - Is this in our model language? If not, maybe we need to update it
- 2. Review of Zoning Text Amendments, Jefferson Township (Logan County) – Staff review by Wes Dodds
 - Bed & Breakfast
 - Greg – What is adequately sized dwelling?
 - Wes – do we need to define that more?
 - Greg- after reading this, I think many of these are pretty loose
 - Don – somewhere there is minimum specifications; I imagine this would fall under the standard building code; in the building code there is minimum sizes.
 - Greg – will not be hazardous or disturbing to officially planned neighboring uses? What are they? This statement is a little open?
 - Don – district zoning?
 - Fereidoun – does this facility fall under the health department? Some of this stuff may be taken care of that way.
 - Don – I’m sure it falls under the health department
 - Wes – they’re working on a comp plan, but other than that they don’t have a guiding document
 - Boarding Houses
 - Fereidoun – you are not allowing boarding houses within four miles of each other?
 - Phil – we’re not interested in them
 - Charles – lodging house, what does that consist of? Rent a house?
 - Don – motel?
 - Charles – so a rental house would fall into that definition; so you can’t have a rental house within a certain distance of another one
 - Phil – but in a rental house, meals and lodging aren’t provided, a boarding house and a lodging house is a facility where it is provided under control of people providing meals and lodging; where it is a for profit enterprise
 - Fereidoun – if you have a clinic where you provide instruction, like a wrestling camp
 - Don – what you need is a definition for family unit
 - Charles – what about a camp?

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- Fereidoun – the problem is when they put it together they had certain ideas of what they were trying to target, but the wording you use; a wrestling camp may need to open
- Scott – would Briarwood fall under a boarding house?
- Wes – this definition says “and/or meals”
- Fereidoun – what about nursing homes?
- Charles – is there anywhere in your township that you could open one of these? Boundary ways? Or is that sized enough that you zoned them out?
- Fereidoun – if someone already has a lodge, the point is not a township, it becomes the 20,000 feet from the current location
- Phil – we’re trying to limit boarding houses; any help is good
- Don – somewhere in the administrative code there should be a definition, you’ll want to make sure you’re in line with the definition for boarding homes. If you define what is considered a family unit, which will help.
- Phil – boarding houses can attract sex offenders
- Fereidoun – I understand what the issues are; if the definition is so broad that it picks up everything else
- Phil – should we do away with the requirement?
- Don – the proper definition is needed
- Fereidoun – that is not included entertainment, recreation, instructional
- Scott – the township is about 6 miles x 7 miles, so they could have one on each corner
- Charles – are those areas zoned right?
- Family Care Homes
 - Greg – need to provide to BZA, where are they basing this off of, is county social services giving them the information? Does the county have a plan that you can base it off of? There’s no ground.
 - Phil – how should it be worded?
 - Greg – if you have something you can base it off of so BZA has something to look at instead of just saying No because they don’t want it
 - Phil – so I should go to the county, to children services to see what they have in place?
- Foster Care Home
 - Scott – error in report, just fyi on this section
- Group Home Care
 - Charles – does that cover day care, adult day care?
 - Wes – I would say it does, reading the definition
 - Don – is there a definition of difference between adult/child day care?

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- Wes – additionally Scott had a comment about the lettering with the section
 - Phil – if you want us to work on this and bring it back next month we can
 - Charles – for myself, I would like you to check out the distances so you can make sure you're not excluding them
 - Don – and verify definitions
 - Phil Metz, Jefferson Township representative requested to table this amendment until next month
 - Paul Hammersmith made the first motion to accept the request of the applicant to table the amendment and Charles Hall made the second motion to accept the request of the applicant to table the amendment. All in favor.
3. Review of Zoning Text Amendment 524.02 "Ponds" from Jerome Township (Union County) – Staff review by Kyle Hanigosky
- Paul – I think it was intended to be spoils instead of soils per staff recommended change
 - Fereidoun – Add road right of way, or property line to letter D
 - Jeff – on their setbacks, is it typical to move that back further?
 - Paul – honestly 100 would be more appropriate than 50
 - Jeff – that would be my preference as well
 - Paul Hammersmith made the first motion to accept the staff recommendation of approval with the additional comments made by the Zoning & Subdivision Committee members. Jeff Stauch made the second motion to accept the staff recommendation of approval with the additional comments made by the Zoning & Subdivision Committee members.

The Zoning and Subdivision Committee adjourned at 2:35 pm with Fereidoun Shokouhi making the first motion to adjourn and Don Walters making the second motion to adjourn.