

The regular meeting of the Lake County Planning Commission was called order at the hour of 08:00 AM in the County Commission Board Room.

ROLL CALL:

Don Bickett, Dan Hansen, Alan Schaefer, Aaron Johnson, Jody Ackerman, Roger Albertson and Official Mandi Anderson were all present.

AGENDA/ADDITIONS:

None.

Motion by Aaron Johnson to approve the agenda. Second by Roger Albertson. M/C All were ayes.

MINUTES:

Motion by Alan Schaefer to approve August 10th minutes sent to them by mail. Second by Jody Ackerman. M/C All were ayes.

OLD/UNFINISHED BUSINESS:

None.

NEW BUSINESS:

CONDITIONAL USE #22-22

*Applicant has waived their right to personal appearance.

Owner/Applicant: Steve & Lisa Jervik

Property Description: Lot B Lakeview Drive Third Addition, NE ¼ of Section 23-106-52, Lakeview Township,

Parcel Number: 06285-10652-03010

Zoning Designation: "LP 1" –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 1,640 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use – Oversized attached garage

Motion by Aaron Johnson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;

- Screening and Buffering;
- Signs;
- Required yards and other open space; and
- General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-23

*Applicant has waived their right to personal appearance.

Owner/Applicant: Todd & Denise Bothwell

Property Description: Lot 2 B & P Acres Addition in the NE ¼ of Section 5-105-51, Chester Township

Parcel Number: 01014-01101-00027

Zoning Designation: “LP 1” –Lake Park-District 1 (Round Lake)

Request: The applicant would like to build an attached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build a new home with an oversized attached garage.
 - a) Proposed attached garage/accessory approximately 2,000 sq/ft.
2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12’ and greater than 1,200 sq/ft in the “LP 1” District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 25’ to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30’.

Action Item – Conditional Use – Oversized attached garage

Motion by Alan Schaefer to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Roger Albertson. M/C All were ayes.

- Oversized attached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other attached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-24

*Applicant has waived their right to personal appearance.

Owner/Applicant: Kyle & Cassaundra Brunick

Property Description: Lot 9 Christiansen’s Sunrise Acres 2nd Addition, SE ¼ of Section 26-106-52, Lakeview Township

Parcel Number: 06055-00200-09010

Zoning Designation: “LP 1” –Lake Park-District 1 (Lake Madison)

Request: The applicant would like to build an unattached garage with greater dimensions.

History/Issue(s):

1. The applicant is requesting to build an oversized unattached garage.
 - a) Proposed unattached garage/accessory approximately 36’x36’x10’, 1,296 sq/ft.

2. Lake County Ordinance requires that a land owner go through the Conditional Use Process to build a shed/garage/accessory building with a taller sidewall height than 12' and greater than 1,200 sq/ft in the "LP 1" District.
3. He meets all setbacks on this lot.
 - a) He is adjacent to a private road easement (front yard) and ordinance regulates that they must have a front yard of no less than 10 feet from the road r-o-w easement.
 - b) Shall not be nearer than 9 feet to any side yard lot line.
 - c) Shall not be nearer than 10' to the rear yard.
 - d) The proposed structure meets the overall height requirement of no taller than 30'.

Action Item – Conditional Use – Oversized unattached garage

Motion by Dan Hansen to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Aaron Johnson. M/C All were ayes.

- Oversized unattached garages/accessory buildings are allowable as a conditional use in the LP 1 – Lake Park District under certain conditions.
- There are other unattached oversized garages around the lake so it would be generally compatible with adjacent properties and other property in the district.
- The structure meets the required minimum setbacks of the lot.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Screening and Buffering;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance
- The granting of the conditional use would not adversely affect the public interest.

CONDITIONAL USE #22-25

Owner/Applicant: Tom & Arla Baumberger along with Dakota Environmental and son Justin Baumberger

Property Description: NW ¼ of Section 18-106-51, Wentworth Township

Parcel Number: 02000-10651-18210

Zoning Designation: "A" Agricultural District

Request: The applicant would like to request a conditional use for a Class C CAFO, for both nursery and finishing swine.

History/Issue(s):

1. They are requesting to expand their current Class E operation for swine to a Class C. The existing barns were destroyed by the May 2022 storm and housed up to 500 nursery swine and 1,000 finishing swine. Which is a total of 450 animal units.
2. Proposing a new facility consisting of up to 1,100 head of nursery swine and a facility consisting of up to 2,200 head of finishing swine.
 - a. Lake County Ordinance allows for a Class C to range from 500-999 animal units.
3. Lake County Ordinance requires a landowner to go thru the conditional use process in the agricultural district.
4. Their proposed CAFO is in conformance with Lake County Zoning Ordinance for a Class C.
 - a. There is no concern for the proposed barn to be a potential pollution hazard due to its location. The proposed structure would meet all required minimum setback and separation distances. This barn is not located in a shallow aquifer, designated wellhead protection area or the 100-year floodplain. No drainage will contribute directly into a creek, stream or lake;
 - b. The barn will be located at least 150' off the township road r-o-w and a site plan has been provided;
 - c. Soil reports have been provided;
 - d. They planning to using the existing private well as their source of water supply.
5. This operation is located off of the Wentworth township road and they have been contacted. I have not heard any objections to the conditional use request and did receive an email from the township supervisor.

Action Item – Conditional Use – Class C CAFO

Motion by Roger Albertson to recommend approval of the conditional use request to the Board of Adjustment and adopt the findings outlines in the staff report. Second by Dan Hansen. M/C All were ayes.

- CAFO's are allowable as a CU in the Agricultural District under certain conditions and this request would not be injurious to the neighborhood or detrimental to the public welfare.
- The granting of the conditional use would not adversely affect the public interest.
- There are other existing CAFO operations in the area so it would be generally compatible with adjacent properties and other property in the district.
- They have provided all the required information for a Class C CAFO permit.
- Township have not objected to the Conditional Use request.
- Meets all the Lake County required minimum setback and separation distances.
- If approved, the conditional use shall be specifically conditioned upon initial and continued compliance with all of the requirements and conditions herein and upon compliance with all applicable provisions of the Zoning Ordinance.
- Satisfactory provisions and arrangements have been made, or may be made through the conditions placed upon the operation, concerning the followings:
 - Entrance and exit to property and proposed structures thereon;
 - Off-street parking and loading areas;
 - Utilities, refuse, and service areas;
 - Signs;
 - Required yards and other open space; and
 - General compatibility with adjacent properties and other property in the district.
- The granting of the conditional use would be in harmony with the purpose and intent of the zoning ordinance

PLATS:

A Plat of Lots 1 & 2 Wingen's Addition in the NE ¼ of Section 22-106-52, Lakeview Township was presented to the Planning Commission. This plat is located in the "LP-1" District. Re-subdividing lots into the two conforming lots and adding in the vacated private road. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Lots 1, 2, 3, 4, 5 & 6 in Tract 3 Colton Park Siding South Addition in Section 31-106-51, Wentworth Township was presented to the Planning Commission. This plat is located in the "LP-3" District. Subdividing this lot for future oversized commercial and/or private storage facilities. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Aaron Johnson to recommend the approval of this plat to the County Commission. Second by Alan Schaefer. M/C All were ayes.

A Plat of Tracts 1 & 2 of Kriens Addition in SW ¼ of Section 13-105-51, Chester Township was presented to the Planning Commission. This plat is located in the "A" District. Subdividing the existing farmstead away from the adjacent pasture area. This plat meets Lake County Regulations and the taxes have been paid in full. Motion by Jody Ackerman to recommend the approval of this plat to the County Commission. Second by Dan Hansen. M/C All were ayes.

PUBLIC COMMENT:

None.

Motion by Aaron Johnson to adjure the Planning Commission Meeting. Second by Jody Ackerman. Chair Don Bickett adjourned the Planning Commission meeting at the hour of 8:50 AM.