



Planning Zoning Committee Public Hearing Meeting Minutes – Village of Timberlane – January 13, 2022

1. This Public Hearing of the Planning Zoning Committee is called to order at 6:30 pm by Chairman Jonathan Lipscomb at the Timberlane Village Hall at 2940 Charleston Ct., Caledonia, IL 61011.
2. Roll call: Present: Jonathan Lipscomb, James Kramer, Andrea Ulbert, Tara Stegman, John Stegman, and Scott Williamson. Also, in attendance are Debbie Marner, Clerk, Steve Rapp, President and Trent Ferguson, Village attorney.
3. Guests: 24
4. Chairman Jonathan Lipscomb read the Agenda and Notice of Public Hearing requesting special use permits pursuant to State Law and the requirements of the Timberlane Zoning Ordinance, notification to the public was made as follows:
 - Notice of Public Hearing, published in Boone County Journal on December 30, 2021, and January 6, 2022
 - Notice of Public Hearing sent to adjacent property owners as identified by applicant. Chairman mailed letters on December 27, 2021.
 - Posting of Notice of Public Hearing Sign on applicants' property by Darcy Hills on December 30, 2021
5. **Applicant's Location: 10-acre parcel on Dawson Lake Road & IL Route 76.**

Case #1 petitioner, Joshua Durham requests a Special Use Permit in conformance with *Chapter 6, titled: Agricultural District* for the purpose of a single-family home and pole building. The style of home will be a pole building design more than likely. The zoning will still be zoned AG and may continue to keep some tillable acreage.

6. The Chairman swore in petitioner Joshua Durham who explained his reason to request a special use permit for the intent to build one single family home estimated 3,000 to 4,000 sq. ft, one pole building and leave some tillable acreage as farmland.
7. The Chairman asks for guests who are "for and against" to speak. There were no testimonies. Jonathan Lipscomb then opened questions from Committee to Joshua Durham. There were no questions. The Chairman closed the audience and petitioner discussion.
8. **Applicant's Location: 2940 Charleston Court, Caledonia, Illinois**

9. Case #3 petitioner, Immanuel Lutheran Church and School requests a Special Use Permit in conformance with *Chapter 9, titled: Commercial Districts*. The property is currently zoned "commercial." Immanuel Lutheran Church and School, following the acquisition of said property, plans to use the building as a Church at which to hold services; office workspace; and a place for Church groups, government groups and private organization groups at which to hold meetings. Total 1.88 acres (building, parking lot and land, including the open lot).
10. The Chairman swore in petitioner Braun Campbell, Senior Paster to speak on behalf of Immanuel Lutheran Church. He explained the reason to request a special use permit is for Church outreach serving as a North Boone Mission allowing them to relocate from rental space on IL Route 76. The building would be open for worship space, conference, and office space. They plan to allow the building to be used for community service and low-cost office space for Timberlane Village. He stated there were no plans to expand at this time.
11. The Chairman asks for guests who are "for and against" to speak. There was one testimony from guest Eric Lindberg who spoke on the covenant that applies to Lot 25 Park to remain as a park. Ron Campbell stated they plan to leave it as open green space.
12. Jonathan Lipscomb then opened questions from Committee. Steve Rapp stated that one side of the building was made to be expandable if needed. The Chairman closed the audience and petitioner discussion.
13. **Applicant's Location: 3778 Orth Road, Belvidere, Illinois**
14. Case #2 petitioners, Whitney and William Humphry requests a Special Use Permit in conformance with *Chapter 6, titled: Agricultural District* for the purpose of venue planning for weddings, dances, parties, catering, and for the performance of music and plays. Total number of acres 1.6.
15. The Chairman swore in petitioner William Humphry to explain their reason to request a special use permit. He plans to build a new barn to host wedding venues, parties, recitals with music, off street parking and catering.
16. The Chairman asks for guests who are "for and against" to speak. There was one testimony from a guest concerned that granting agriculture land to a commercial enterprise would set a dangerous precedence for future special use requests of this type near residential neighborhoods. Traffic on accidents would increase on Orth Road. Increased noise, possible alcohol and drug use, people wandering off the property trespassing, policing people. He doesn't see a business plan for an expensive proposal. As a retired executive he offered to give professional advice to help the petitioner improve his job opportunities.
17. Guest Russ Johnson spoke against this request stating for over 28 years they have experienced population growth and heavy traffic on Orth Road already affecting residents. Typically, some neighbors have one day for large parties bringing extra

- noise and cars. He is concerned about the water runoff from an asphalt parking lot causing flooding in the ditch ways and farmland across the street.
18. Guest Bill Brenner shared problems he encountered from with party venues in the township where cars blocked narrow roads, all night music, traffic and he doesn't recommend this type of business being on a small lot.
 19. Jonathan Lipscomb asked the petitioner to comment back on audience concerns. William Humphry stated an asphalt or gravel parking lot could be used and gravel may stop water flooding. He stated they have not been there long enough to see significant rainfall but does have one area that pools water now. He understands that Orth Road is very narrow, and he will require off street parking. He could reduce the size of parties from 200 to 100 or so. Expects the new barn to be about 30 feet from the tree line to the house. They plan to seek a liquor license and hire security with a midnight cutoff. William shared that he is currently laid off and was looking to supplement his income by doing this.
 20. The Chairman then opened questions from the Committee. Jonathan Lipscomb explained commercial versus agriculture use and asked the petitioner to look into the village's agriculture zoning for what is doable on his property to produce income. He agreed that blacktop would produce excess water runoff.
 21. Andrea Ulbert questioned what the reasoning was to choose this rather odd spot for party venues to begin with. How would advertising and signs affect the area? We have high traffic intersections at Orth and Caledonia and Orth and IL 76 now and out of town cars could be involved in accidents. What about lighting?
 22. Scott Williamson asked if architectural drawings were done. John Stegman asked what are your plans to keep noise decibels down? Would any part of venue be outside the new barn?
 23. Jonathan Lipscomb asked the petitioner to comment back to the Committee. William Humphry responded by stating no extreme lighting just for walking will be used and signs would be in the middle of the property. No architectural drawings are done yet. He plans to provide adequate insulation in the new barn to reduce noise. They may have outside seating but no tent weddings. Music deejays would be inside the barn.
 24. The Chairman closed audience and petitioner discussion.
 25. Motion made by John Stegman, seconded by Andrea Ulbert to recommend approval of Joshua Durham's (case #1) special use permit for location: 10-acre parcel on Dawson Lake Road & IL Route 76. Vote all ayes, 0 nays, 0 absent.
 - a. The applicant's Special Use Permit Request is a permitted use as outlined in the Village of Timberlane Ordinance Chapter 6: Agriculture; and it has been determined to be compatible with the surrounding area of the village. After careful consideration, it has been determined by the Committee that

the intended special use will not be detrimental to the public health, safety, or welfare, or be injurious to neighboring properties.

- b. Among the permitted special uses allowed in Section 6.3, includes requested one-family detached dwelling and accessory structure.

26. Motion made by James Kramer seconded by Tara Stegman to recommend approval of Immanuel Lutheran Church and School (case #3) special use permit for location: 2940 Charleston Court, Belvidere, IL. Vote all ayes, 0 nays, 0 absent.

- a. The applicant's Special Use Permit Request is a permitted use as outlined in the Village of Timberlane Ordinance Chapter 9: Commercial; and it has been determined to be compatible with the surrounding area of the village. After careful consideration, it has been determined by the Committee that the intended special use will not be detrimental to the public health, safety, or welfare, or be injurious to neighboring properties.
- b. Among the permitted uses and special uses allowed in Section 9.3 and 9.4 includes a church. Two conditions apply, as follows:
 - 1. Signs must be in accordance with Village of Timberlane Ordinance O12-292-01 Signs and Outdoor Advertising.
 - 2. Lot 25 Park to remain as a park.

27. Motion made by James Kramer seconded by Scott Williamson to recommend disapproval of Whitney and William Humphry (case #2) special use permit for location: 3778 Orth Road, Belvidere, IL. Vote all ayes, 0 nays, 0 absent.

- a. The applicant's Special Use Permit Request is not a permitted use as outlined in the Village of Timberlane Ordinance Chapter 6: Agriculture; and it has been determined to be incompatible with the surrounding area of the village.
- b. This is not among the permitted special uses allowed in Section 6.3.
- c. After careful consideration by the committee, we have identified the following issues:
- d. Permitting this Special Use would be detrimental to the public health, safety, and welfare due to the potential of the following issues:
 - Noise Pollution
 - Light Pollution
 - Parking Lot Size and Impact to Agricultural Land
 - Water Run-Off from Parking Lot into Neighborhood

- e. Permitting this Special Use would also be injurious to properties in the vicinity as it would most likely have a negative impact on property values.
- f. Adequate utilities (electric/gas/water/sewer/septic) are not available to support this commercial establishment.
- g. There would be limited space for constructing a parking lot, which raises the issue of on-street parking which would cause a dangerous traffic situation on Orth Road, especially due to it being a narrow road and having hills with blind spots. Patrons taking turns entering a parking area from each direction could cause a complete blockage of Orth Road and could result in traffic accidents, especially due to blind spots.
- h. Again, this is not among the permitted special uses allowed in Section 6.3.

28. Motion made by Tara Stegman, seconded by Scott Williamson to adjourn the Public Hearing at 7:58pm. Vote all ayes, 0 nays, 0 absent.