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ZBA STAFF REPORT

Application/Case Number: SU-23-208

Meeting Date: Wednesday, August 16, 2023 @ 9:00 a.m.

From: Kelly Humphrey, Zoning Investigator

Petitioner: Rodney & Patsy Stinson

Owner(s): Rodney & Patsy Stinson

Location: The property is located at 23000 Rt 2 and 92, Port Byron, IL 61275 and is legally described as P/O PINs 10.08.400.018 & 10.17.200.001, SA Lots 15-1 & 5, Sheets 9 & 19, supplementals for 2016 & 1998, Sections 8 & 17, T18N R2E, 4th PM, Zuma Township, Rock Island County, Illinois, containing approximately 2.537 acres.

Property Description: This is a 2.537 acre tract that is part of a 13 & 40 acre parcels off of Old IL-2. The tract contains a house and two outbuildings. The area where the house and buildings are falls to the South where there is a drainage ditch.

Request: The petitioner is requesting a Special Use Permit for a Density Increase in an AG-1, Agricultural Preservation District as authorized in Section 3-2-10.3.H.

Proposal Summary: The petitioner wishes to separate an existing house and outbuildings from the property with 2.537 acres and place a deed restriction on an adjoining 37.46 acres to keep with the one house per 40 acre requirement.

*******PLANNING CONSIDERATIONS*******

Surrounding Zoning & Land Use: The surrounding land is all zoned AG-1, Agricultural Preservation District on the South side of the road. On the North side of the road is the Stongate PUD, lots that are Zoned AG-2, General Agricultural District, but have many homes and to the west on the north side there are R-1, Single Family Dwelling District zoned lots. The predominant use on the South Side of the road is agricultural. On the north side of the road you have rural residential.

Land Use Plan: The Rock Island County Comprehensive Land Use Plan designates this area in the Commercial Industrial setting on the South side of the road. Commercial-Industrial land use is categorized by wholesale/retail sales, while office/business park land use relates to professional services and business activities. These two land uses are located sparingly in the county. They typically occur near municipal corporate limits, in/near unincorporated places, or at intersections of higher traffic road corridors where highway commercial development might be important. The request is somewhat consistent with the Comprehensive Land Use Plan, but not the map.

OFFICE OF

ZONING & BUILDING SAFETY

1504 3rd Avenue, Room 305, Rock Island IL 61201

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Suitability: This request will be suitable with surrounding uses. This has an existing house and outbuildings on a large farm parcel. There are other comparable tracts in proximity.

Environmental Impacts: The environmental impacts will be minimal as the use of the property will not change or intensify. There is an existing septic and well on site.

Transportation Impacts: Access/Egress is off Old IL-2, a township road. The IDOT traffic count on Old IL-2 is 1,550 vehicles per day. The impact of this request should be minimal. There are no known short or long-range transportation projects scheduled in the vicinity of the parcel.

*****STANDARDS*****

1. *That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort, or general welfare; This request will not differ from existing uses and will therefore have little impact to the surrounding area.*
2. *That the Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted, nor substantially diminish and impair property values within the neighborhood, and will be located and operated to minimize incompatibility with the character of the surrounding area and to minimize the effect on the value of the surrounding property. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility; the special use will maintain the character of the surrounding properties and should have little to no effect.*
3. *That the establishment of the Special Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts; this request will not impede development as it only applies to an existing structure and does not alter the use of that structure.*
4. *Those adequate utilities, access roads, drainage and/or other necessary facilities have been, or are being provided. Access is provided via Old IL-2 and all necessary facilities are already in existence.*
5. *That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets; the access to the tract will continue to be off Old IL-2 a township road.*
6. *That the plan of operations for the Special Use is designed to minimize the danger to the surrounding area from fire or other operational accidents; The property will be in keeping with safety standards for residences.*
7. *That the Special Use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the County Board.*

*****CONDITIONS*****

1. A deed restriction shall be recorded along with the deed for the property on and adjoining amount of land totaling 40 acres stating *“The herein described area that may be a portion of, or all of, a parcel in total, having the restriction that no residential structures or farmsteads used for residential purposes may be upon the said real estate herein described, said restriction being placed on the above described real estate voluntarily, so as to conform to the Rock Island County Zoning Ordinance and the decisions of the Rock Island County Zoning Board of Appeals and to remain in effect until such time that the Rock Island County Zoning Laws allow additional residential development, or is annexed into another municipality.”*