

OVERVIEW

The primary function of the Planning, Zoning and Building Department is to help direct and manage growth and land use changes in DeKalb County. The principal way in which the Department aids in such management is through the interpretation, application and enforcement of the County's Unified Comprehensive Plan, Zoning Ordinance, Subdivision Regulations, building codes, and Stormwater Management Regulations. The Department provides staff support and offers advice and assistance to the County Board, Planning and Zoning Committee, Zoning Hearing Officers and other County departments, as well as to local communities and citizens. The Planning Director serves as the County Zoning Administrator, Plat Officer and Code Enforcement Officer, and is primarily responsible for interpretation and enforcement of the Zoning Ordinance, Subdivision Regulations, Stormwater Management Plan and Ordinance, and Unified Comprehensive Plan. The Planning Director serves as the Director of the DeKalb County Regional Planning Commission, a cooperative organization consisting of representatives from 14 municipalities and the County that serves as a forum for communication and coordination on issues of regional importance. The Planning Director also chairs the County's Stormwater Management Planning Committee. The Department staff prepares and updates elements of the Comprehensive Plan for the County and helps coordinate planning activities for the various communities within the County, and reviews and issues all building permits for construction in unincorporated DeKalb County, and conducts inspections of construction. Authority for final interpretation and application of the Unified Comprehensive Plan rests solely with the DeKalb County Board.

Pursuant to Chapter 34, Illinois Revised Statutes, DeKalb County has a Zoning Hearing Officer to conduct public hearings to consider Zoning Map Amendments, Zoning Text Amendments, requests for Special Uses, Variations and Appeals of decisions from the Planning Director. The Hearing Officer has final administrative decision authority on bulk regulation Variations and Appeals, and makes findings and recommendations to the County Board on Amendments, Special Uses and Use Variances. Subdivision review and approval is the jurisdiction of the Planning and Zoning Committee and the County Board.

DEPARTMENT STAFF

Paul R. Miller, Planning Director
Rebecca Von Drasek, Assistant Planner
Toby Petrie, Chief Building Inspector
Merle Carter, Plumbing Inspector
Gary Taylor, Building Inspector
Marcellus Anderson, Zoning Technician
Kathy West, Administrative Clerk

ZONING ACTIVITY IN FY 08

Zoning Map Amendments -- One (1) Zoning Map Amendment application was made in FY 08, by the Sandwich Park District for the Harvey Creek Conservation Area on Lions Road, but was withdrawn. The low number of zoning change applications reflects the general policy of the Unified Comprehensive Plan and the County Board to encourage non-agricultural growth and development to occur through annexation to the municipalities.

Special Uses -- There were eight (8) applications for new Special Use Permits and amendments to existing Special Use Permits in FY 08. All of these applications were approved. New Special Use Permits issued were for an agribusiness trucking company (Underdog Trucking), a home-based lawn mower repair business (Flink), an agribusiness for seed and fertilizer sales (Rosenwinkle), a landscaping business (Daring), and RV and boat storage use (Wallace), and a dog kennel and training business (Bobka). There were two (2) Amendments to existing Special Use Permits, to allow an expansion of an agribusiness (Hintzsche) and an expansion and change in use for an RV camp (Stonehouse Park).

Variations -- The County accepted or took action on six (6) Variation requests in FY 08. All were approved. The Variations included three (3) to for nonconforming building setbacks (Pfoutz, Wesson and Wable), one to allow an accessory building to be closer to a street than a house (Polnow), one to allow a garage floor to be lower than the base flood elevation (Levinsky), and one to waive the 180-day restriction for seeking approval to rebuild a legal, nonconforming house (Kuntz).

Use Variations -- The County Board received one (1) application for Use Variation in FY 08. These requests are to allow houses to be constructed on lots of less than 40 acres in size located in the A-1, Agricultural District. The application was denied for failure to meet the criteria (Hackett Trust).

Planned Developments -- There were no applications for new planned development in FY 08.

Zoning Text Amendments -- Three (3) Zoning Text Amendments were applied for and approved during Fiscal Year 2008. One (1) made a change to the Sign Regulations to allow temporary signs that advertise municipal events, one (1) amended the regulations governing accessory buildings and structures, and one (1) adopted the new regulatory floodplain maps. All of these applications were generated by the County.

Subdivisions -- There were no new subdivisions approved in FY 08. This reflects the policy of the Unified Comprehensive Plan to discourage nonagricultural growth and development in unincorporated DeKalb County.

Miscellaneous -- In Fiscal Year 2008, the County Stormwater Management Committee made two recommendations to the County Board. One recommended that new two-foot contour interval maps for the entire County be generated. An appropriation for this mapping project is included in the County's FY 09 budget. The Committee also recommended that the Stormwater Management Ordinance be amended to clarify that the

discharge point of sump pumps should be behind the minimum building setback lines and that no further changes should be made to direct such discharge to any property line. In summary, the Planning, Zoning and Building Department processed 19 zoning and administrative applications in FY 08. The following chart itemizes these zoning actions.

PLANNING & ZONING HIGHLIGHTS IN FY 08

Among the significant activities undertaken by the Planning, Zoning and Building Department in Fiscal Year 2008 were those associated with flooding of the Evergreen Village Mobile Home Park in September. After the Park was vacated and the waters had receded, Department staff conducted an inspection of some 130 trailers to determine which were substantially damaged. Those so determined were posted as requiring a Building Permit to elevate the trailer prior to any other repairs. Staff also fielded numerous calls and visits from Park residence, assisting in identifying resources and explaining applicable regulations. All told, this task required many hours and the efforts of all of the Department staff. The County has an on-going application with the Illinois Emergency Management Agency and Department of Natural Resources to mitigate Evergreen Village by buying the land and trailers and closing the Park.

Staff also continued to provide services to the DeKalb County Regional Planning Commission, which met bi-monthly, and the County Stormwater Management Planning Committee, which met eight (8) times in FY 08.

SUBDIVISIONS IN FY 08

The DeKalb County Board has vested its Planning and Zoning Committee with subdivision review authority. The full County Board approves an ordinance for Preliminary Plats, and the Committee has approval authority for Final Plats. Zoning Amendments creating subdivisions through the Planned Development Zoning District Classification are also under the jurisdiction of the full County Board. The absence of new, stand-alone subdivisions within unincorporated DeKalb County is evidence of a general adherence to the policy of the 2003 DeKalb County Unified Comprehensive Plan which encourages development to occur within the corporate limits of the municipalities, or immediately adjacent to those limits, so that developing properties may be annexed and obtain municipal services.

ZONING CODE VIOLATIONS IN FY 08

The Planning Department enforces the Zoning Ordinance in part through the abatement of violations of its various provisions. Formal zoning violations are typically the result of inquiries made by County residents or Sheriff=s Deputies, however, County Planning and Zoning Department staff may initiate violation inquiries in the event that public safety or welfare appears to be in danger. During Fiscal Year 2008, the office investigated numerous citizen inquiries and complaints regarding potential Zoning Ordinance violations. Of those, forty-five (45) were determined to be apparent violations of the Ordinance. Thirty-three (33) of these cases have been resolved through compliance. Additionally, fourteen (14) cases from 2007 were also resolved through compliance this year. A total of eighteen (18) cases remain open, which includes four (4) cases pending action by the State=s Attorney=s office for resolution. Twelve (12) cases were forwarded to the DeKalb County Hearing Officer for a Code Violation Hearing. Five (5) went to hearing and were found in violation, with an assessment of a fee and fine; seven (7) hearings were cancelled upon compliance or resolution of the violation. A copy of the 2008 Zoning Violation Log is attached (see Attachment AA@).

BUILDING PERMITTING IN FY 08

The DeKalb County Planning Department issued a total of 172 permits for construction proposed in unincorporated DeKalb County in FY 08. Of this total, 14 permits were issued for new house construction (six (6) of which were for farm dwellings), 14 for commercial or industrial construction (including accessory structures), and 44 for alterations to existing residences (five (5) permits were for alterations to farm dwellings). Also, 100 permits were issued for noncommercial, nonindustrial accessory structures (of these, 53 were issued for farm structures). The largest number of new homes permitted in unincorporated DeKalb County in FY 08 were in Shabbona Township (3), followed by Cortland, Franklin, Sycamore and Kingston Townships (2 each).

The Building Development Official and Building Inspectors conducted a total of 497 separate inspections of buildings under construction in FY 08. This is an average of approximately 41 inspections per month and approximately 2 inspections per day worked. The Building Inspector also averaged 6-8 hours a week reviewing plans for proposed construction projects. Chief Building Inspector Toby Petrie spent approximately 22 hours in classroom/seminar training. Merle Carter is now the primary plumbing inspector. Due to continuing health concerns, inspector Gary Taylor's involvement with the building department is minimal, typically filling in during vacations, etc.

The total number of permits reflect approximately \$38,164,000 in construction value. The Department collected and deposited with the County Treasurer approximately \$31,000 in Building Permit fees. For comparison, permit totals spanning the last ten years are presented in Attachment AB.@