

**Lee County Board
Dixon, Illinois**

RESOLUTION NO. _____

**A RESOLUTION GRANTING A SPECIAL USE PERMIT FOR THE
PURPOSE OF INVENTORY OR MATERIAL STORAGE, OUTDOOR
PURSUANT TO ORDINANCE NO. 2023-08-002.**

(Humphrey)

WHEREAS, a Petition for the granting of a Special Use Permit or the purpose of Inventory or Materials Storage, Outdoor for the purpose of storing of inventory or materials in relation to the operation of a Skilled Trades Special Use Permit for Midwest Disposal under Lee County Ordinance No. 2023-08-002, on real estate described in Exhibit “A,” attached hereto and made a part hereof (hereinafter sometimes referred to as “Subject Realty”), has been filed with the Lee County Zoning Office as Petition No. 24-P-1629 (hereinafter referred to as “Petition”), by Richard Humphrey, Jr. and Brenda Humphrey (hereinafter referred to as “Petitioners”); and

WHEREAS, the Zoning Board of Appeals of Lee County (hereinafter referred to as “Zoning Board of Appeals”) held public hearings on said Petition on July 5, 2024, in accordance with the law; and

WHEREAS, proper Notice of the filing of the Petition and of the impending August 1, 2024, ZBA hearing was published in the Dixon Telegraph on July 16, 2024; and

WHEREAS, United States Postal Service Certified mailings of the same Notice were sent by the Petitioners to real estate property owners whose properties would be adjacent to the proposed Project’s boundaries with such mailings being postmarked on July 15, 2024; and

WHEREAS, timely notice was posted at the main entrance of the Subject Realty and along the fencerow adjacent to US Route 52 on July 16, 2024; and

WHEREAS, the Petitioners and Interested Parties were given the chance to present evidence, including witnesses and exhibits, cross-examine the witnesses of others, and to present a closing argument, statement, or public comments; and

WHEREAS, the Zoning Board of Appeals has made, and the County Board affirms, the Report & Findings of Fact and Recommendation, which is attached hereto as Exhibit “B” and made a part hereof; and

WHEREAS, the County Board of the County of Lee has received the recommendation of the Zoning Board of Appeals and has duly considered said recommendation; and

NOW, THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF THE COUNTY OF LEE, ILLINOIS, as follows:

SECTION 1. That the *Lee County Revised Zoning Ordinance*, as amended, and as set forth in the Zoning District Map as described therein and on file in the Office of the County Clerk, is hereby amended by the granting of a Special Use Permit for the purpose of storing of inventory or materials in relation to the operation of a Skilled Trades Special Use Permit for Midwest Disposal (pursuant to Lee County Ordinance No. 2023-08-002, and hereafter referred to as “Special Use”) on the Subject Realty. The aforesaid Special Use for Inventory or Material Storage, Outdoor shall be conducted in accordance with the provisions of *Lee County Revised Zoning Ordinance*, as amended, subject to such variations, exceptions, and/or conditions as are hereinafter set forth.

Section 2. That the Subject Realty may be developed in accordance with the applicable Ordinance of the County, as are now in effect, except as specifically modified and/or varied below:

- A. If the owners sell the business (Midwest Disposal) or the property referred to in Petition No. 24-P-1629, the special use permit will become null and void upon sale.
- B. Additional screening of the area where the containers are being stored.
- C. No more than fifteen (15) packer trucks may be stored outdoors.
- D. The washing of the interiors of the packer trucks shall not occur at 1556 Red Brick Road, Dixon, Illinois.

SECTION 3. That the Petition for the granting of a Special Use Permit for the purpose of storing of inventory or materials in relation to the operation of a Skilled Trades Special Use Permit for Midwest Disposal, as requested in Zoning Petition No. 24-P-1629 (Humphrey) be (**approved/denied**), with the aforementioned modifications and/or variances, by the Lee County Board.

_____ **PASSES AND APPROVED** by the County Board of the County of Lee, Illinois, this _____ day of August, 2024.

_____ **FAILS AND DENIED** by the County Board of the County of Lee, Illinois, this _____ day of August, 2024.

AYES:	
NAYS:	
ABSENT:	
ABSTAIN:	
HOLDING OFFICE:	

BY: _____
Lee County Board Chairman

ATTEST:

BY: _____
Lee County Clerk

EXHIBIT A

Attachment A

Real property located in the County of Lee State of Illinois, more particularly described as follows:

Parcel 1: Part of the West half (W1/2) of the Northwest quarter (NW 1/4) of section (13), township twenty-one (21) north, range nine (9) East of the fourth Principal Meridian, Lee County Illinois, described as follows:

Beginning at the centerline of McGirr Rd which borders the Northerly Boarder of the property line travel south 1350'Ft parallel with Red Brick Rd to starting point; thence easterly 600 feet; Thence Southerly 900 feet parallel with the Westerly boundary; Thence Westerly 600 feet parallel with Northern boarder to the center line of Red Brick Road; Thence Northerly 900 feet parallel with Red Brick Road to the northerly starting point. Parcel contains approximately 12.64 acres. Commonly known as 1556 Red Brick Road Dixon, IL 61021.

Lee County Zoning Board of Appeals

Petitioner: Humphrey

Petition Number: 24-P-1629

Current Zoning: Ag-1, Rural/Agricultural District

Township: South Dixon

Requested Zoning: Special Use Permit

Date: August 1, 2024

Proposed Use: Inventory or Materials Storage, Outdoor

LESA Score: (Land Evaluation - Site Assessment) – Total –

Finding of Fact

1) *Effect of the proposed use upon the character of the neighborhood.*

- a. Visual site.
- b. Visual site of waste control products.

Luke Phalen made a motion to accept the findings and a second was discerned. A vote was taken, and the ayes prevailed. Motion passed, 3-0.

2) *Effect of the proposed use upon traffic conditions.*

- a. Approximately 8 employees arriving and leaving the property in personal vehicles.
- b. There will be 8 refuse trucks arriving and leaving the property daily.
- c. According to the testimony from the Petitioner, refuse trucks will be leaving the property empty and returning to the property empty, there should be no concern about posted roads.

Craig Buhrow made a motion to accept these findings and a second was discerned. A vote was taken, and the ayes prevailed. Motion passed, 3-0.

3) *Effect of proposed use upon public utility facilities.*

- a. Some extra wear on a short section of Red Brick Road due to increased traffic.

Luke Phalen made a motion to accept this finding and a second was discerned. A vote was taken, and the ayes prevailed. Motion passed, 3-0.

4) *Effect of the proposed use upon public health, public safety, and/or general welfare.*

- a. Garbage pick-up for public health and welfare for citizens in the area.

Craig Buhrow made a motion to accept this finding and a second was discerned. A vote was taken, and the ayes prevailed. Motion passed, 3-0.

5) *Effects of the proposed use upon the surrounding properties.*

- a. Sounding properties will see an increase in traffic at certain times of the day.
- b. Visual sighting of equipment.

Craig Buhrow made a motion to accept this finding and a second was discerned. A vote was taken, and the ayes prevailed. Motion passed, 3-0.

6) *Effects of the proposed use upon environmental concerns.*

- a. Based on the testimony, interiors of packer trucks are not washed onsite.

Luke Phalen made a motion to accept this finding and a second was discerned. A vote was taken, and the ayes prevailed. Motion passed, 3-0.

***Recommendation to the Full Board:**

Approve

~~Deny~~

Luke Phalen made a motion to recommend approval of Petition No. 24-P-1629 with the following conditions:

- a. If the owners sell the business (Midwest Disposal) or the property referred to in Petition No. 24-P-1629, the special use permit will become null and void upon sale.
- b. Additional screening of the area where the containers are being stored.
- c. No more than fifteen (15) packer trucks may be stored outdoors.
- d. The interior of the packer trucks shall not occur at 1556 Red Brick Road, Dixon, Illinois.

A vote was taken, and the ayes prevailed. Motion passed, 3-0.

Respectfully submitted,

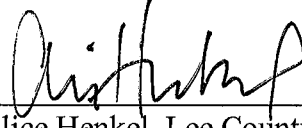
Dated: 6 Aug 2024



Bruce Forster, Chairman, Lee County Zoning Board of Appeals

Attest:

Dated: 8/6/2024



Alice Henkel, Lee County Planning & Zoning Administrator