

JO DAVIESS COUNTY
PLANNING COMMISSION/ZONING BOARD OF APPEALS
MEETING MINUTES
JANUARY 28, 2026

I. Call to Order

Chair Huschitt called the meeting to order at 7:00 PM on Wednesday, January 28, 2026 at the Jo Daviess County Highway Department, 1 Commercial DR, Hanover, IL.

II. Roll Call

Roll Call was answered as follows: Present – Peter Huschitt, Steve McIntyre, Don Hill, Gary Diedrick. Present: 4. Absent – Ron Mapes. Absent: 1. Also in attendance: William Meeker, Planning & Development Administrator.

III. Establishment of a Quorum

Chair Huschitt declared that a quorum of members was present.

IV. Approval of Minutes

A. December 17, 2025 Planning Commission/Zoning Board of Appeals Minutes (DRAFT)

A motion to approve December 17, 2025 Planning Commission/Zoning Board of Appeals Minutes was made by Don Hill and seconded by Gary Diedrick. The motion carried by roll call vote. Ayes – Peter Huschitt, Don Hill, Gary Diedrick. Ayes: 3. Nays – None. Nays: 0. Absent – Steve McIntyre. Absent: 1.

Administration of Oath: Chair Huschitt administered the oath to those present (and via Zoom) who wish to testify as part of the proceedings.

V. Unfinished Business

There was no unfinished business.

VI. New Business

- A. CASE NO 26-01: Petition of Richard & Lois Wubben (13010 West Valley RD, Galena, IL 61036), owners and Nathan & Ashley Phillips (105 Blackhawk DR, Galena, IL 61036), petitioners for a Special Use Permit to allow the creation of a 2-acre lot to permit construction of a non-agricultural residence pursuant to Section 8-3A-4A of the Jo Daviess County Zoning Ordinance and a Variance from the minimum lot width at a public street (0-feet where 150-feet is required) pursuant to Section 8-3A-4D of the Jo Daviess County Zoning Ordinance for the 2-acre lot. Property is situated within an Agricultural (AG) District. Site location: TBD N High Ridge RD, Galena, IL 61036.**

ZONING DISTRICT: AG (Agricultural)

ACRES: 30.02-Acres

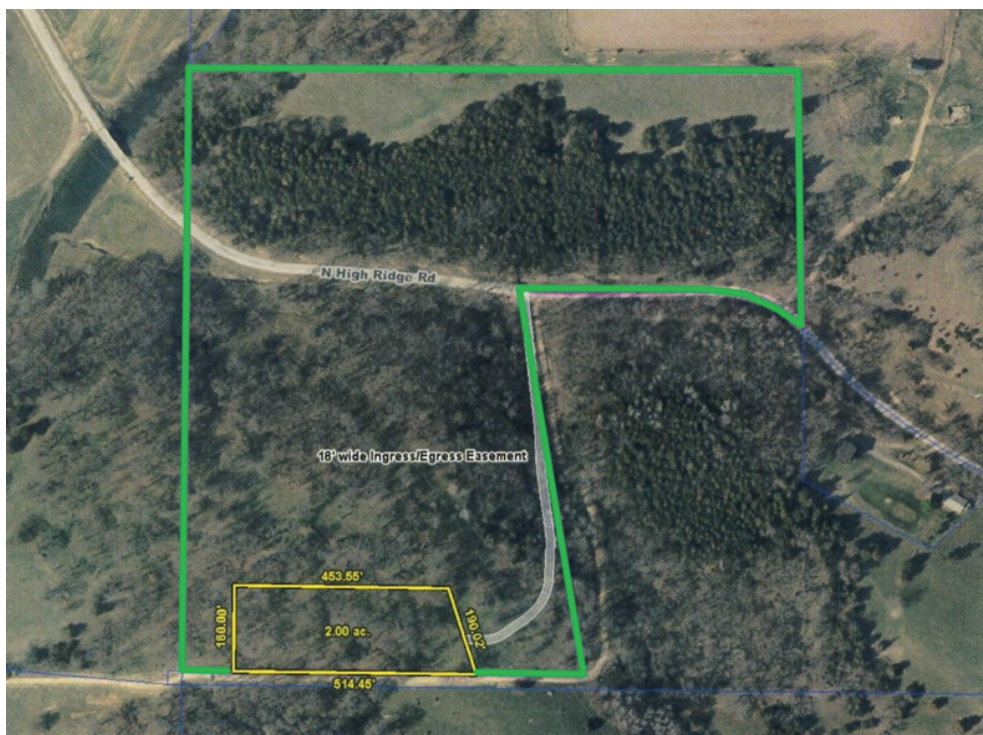
PARCEL NO: 19-000-120-00

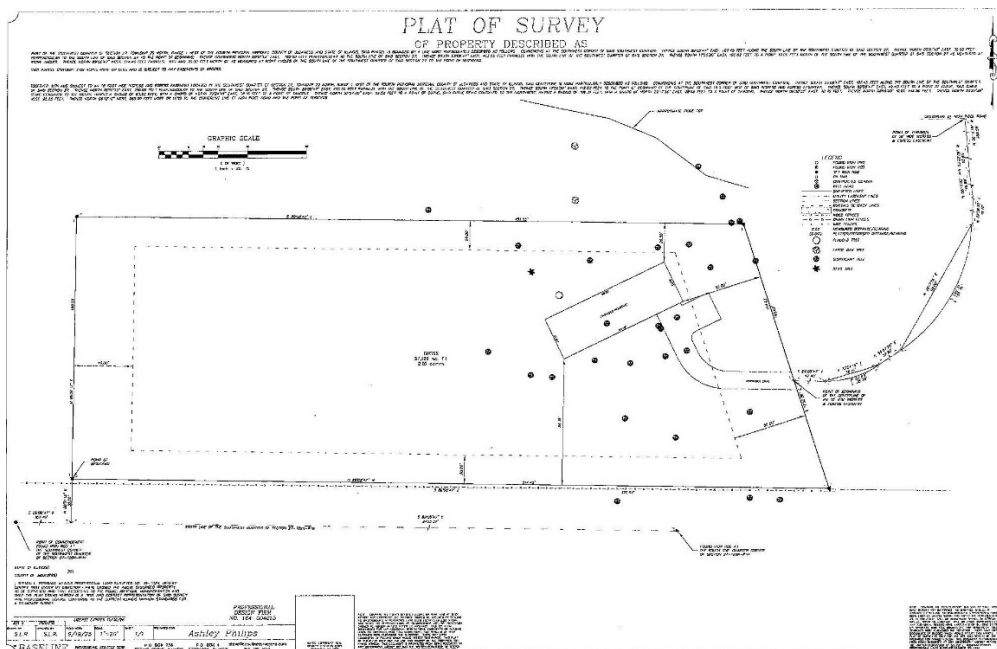
Wastewater Treatment: A location for a conventional septic system has been identified at the southern fence line of the property.

Access Considerations: The County Highway Engineer has no concerns regarding the access to the property.

LESA: A Land Evaluation Site Assessment (LESA) was conducted to assist the PC/ZBA with their analysis of the requests. The Land Evaluation Score for the 2.0-acre parcel is 65; the Site Assessment Score is 150, resulting in an overall LESA Score of 215 for the property. This property includes 1.5-acres of farmland of Statewide importance.

Other Considerations: The petitioners own a 30.02-acre property on N High Ridge RD, roughly ¼ - mile southeast of the intersection of N High Ridge RD and W Valley RD. They wish to divide a 2-acre parcel from this property as a future homesite for their daughter and her family. Though the larger parcel has direct access to N High Ridge RD, the proposed 2-acre parcel is to be created in the southern portion of the property and would be accessed from an 18-foot wide easement extending southerly from High Ridge RD to the new parcel. Since the new parcel has no direct frontage on High Ridge RD, a Variance is requested to permit 0-feet of frontage on the public road where 150-feet is required pursuant to Section 8-3A-4D of the Jo Daviess County Zoning Ordinance.





Standards for Variations: The Zoning Board of Appeals shall make findings of fact based upon the evidence presented to it specifying the reason for making such variation including findings with respect to the following standards:

1. The physical surroundings shape, or topographical conditions of the specific property will cause practical difficulties or a particular hardship to the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which a petition for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property within the same zoning classification.
3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
4. The alleged difficulty or hardship is caused by this ordinance and has not been created by persons presently having an interest in the property.
5. The granting of the variation will not alter the essential character of the locality, and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public street, or increase the danger of fire or flooding, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.
7. The variation requested is the minimum variation that will make possible the reasonable use of the land or structure.

Variance Findings of Fact/Explanation of Criteria:

1. What is there about the physical nature of this particular site that creates a necessity for a variance?
2. What is there about the request in general that distinguishes itself from other properties in

this same zoning classification?

3. Is the purpose of this request to solve a problem for the property owner or strictly to increase the value of the property for purposes of selling it?
4. From the testimony, who was responsible for creating the situation which now requires that a variance be granted on this property?
5. Will this request be out of character with the neighborhood (such as allowing a forty-foot structure in a high-density residential area)? Will it be detrimental to the public, such as creating a blind spot at an intersection?
6. What affect will this variation have on the public's safety or on the value of other property or improvements to property in the area?
7. Can reasonable use be made of this property without the variance and is the variance requested the least amount needed? (Have they asked for a 20-foot variance, when only a 10-foot variance is needed?)

Standards for a Special Use: The Zoning Board of Appeals shall make findings of fact based upon the evidence presented to it specifying the reason for granting or denying the Special Use, including findings with respect to the following standards:

1. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair values within the neighborhood.
3. The establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.
4. Adequate utilities, access roads, drainage, and/or other necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress designated to minimize traffic congestion in public streets.
6. The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located. In addition, the special use shall meet any applicable standards set forth in this ordinance which specify additional standards to the specific special use as defined in this ordinance.

Chair Huschitt opened the public hearing.

Richard Wubben (13010 W Valley RD, Galena, IL 61036) & Ashley Phillips (105 Blackhawk DR, Galena, IL 61036) were present representing the owner/petitioner. They had no comments to add to the details provided in the staff report.

Diedrick asked if the easement is an ingress/egress easement, or is a utility easement also proposed?

Ashley Phillips noted that the survey shows that the easement is for ingress/egress; Richard Wubben noted the location of the utility easements for the property.

There was a brief discussion of the purpose of the LESA evaluation process and its purpose.

Huschitt supports the proposal; the home location will not detract from views in the area; the home will not be able to be viewed from the public roadway. The land involved does not appear to be prime farmland given the location; is still important, but other portions of the property are more suitable for agricultural.

McIntyre asked what the land evaluation score was? Meeker responded that the overall LESA score is 215; the land evaluation score is 65.

Public hearing closed.

Variance standards were reviewed and all were found to be met.

A motion to approve a **Variance** from the minimum lot width at a public street (0-feet where 150-feet is required) pursuant to Section 8-3A-4D of the Jo Daviess County Zoning Ordinance for the 2-acre lot. was made by Peter Huschitt and seconded by Steve McIntyre. The motion carried by roll call vote. Ayes – Peter Huschitt, Steve McIntyre, Don Hill, Gary Diedrick. Ayes: 4. Nays – None. Nays: 0. Absent – Ron Mapes. Absent: 1.

Special Use standards were reviewed and all were found to be met.

A motion to recommend to the Jo Daviess County Board, approval of a **Special Use Permit** to allow the creation of a 2-acre lot to permit construction of a non-agricultural residence pursuant to Section 8-3A-4A of the Jo Daviess County Zoning Ordinance was made by Gary Diedrick and seconded by Don Hill. The motion carried by roll call vote. Ayes – Peter Huschitt, Steve McIntyre, Don Hill, Gary Diedrick. Ayes: 4. Nays – None. Nays: 0. Absent – Ron Mapes. Absent: 1.

Meeker noted that the Special Use Permit recommendation will be presented to the County Board for action at its regular meeting on February 10, 2026.

- B. CASE NO 26-02: Petition of Michael Austin & Laura Van Dusen (23W080 Hackberry DR, Glen Ellyn, IL 60137) owners/petitioners for a Variance from the side-yard setback to permit an 18.7-foot setback where 20-feet would normally be required for a four-bedroom residence to be licensed for Guest Accommodations (Jo Daviess County Zoning Regulations, Section 8-5B-46 B 4a). Property is situated within a Planned Residential (RP) District. Site location: 184 Blackhawk Trace, Galena, IL 61036.**

ZONING DISTRICT: Planned Residential (RP)

ACRES: 1.22-acres

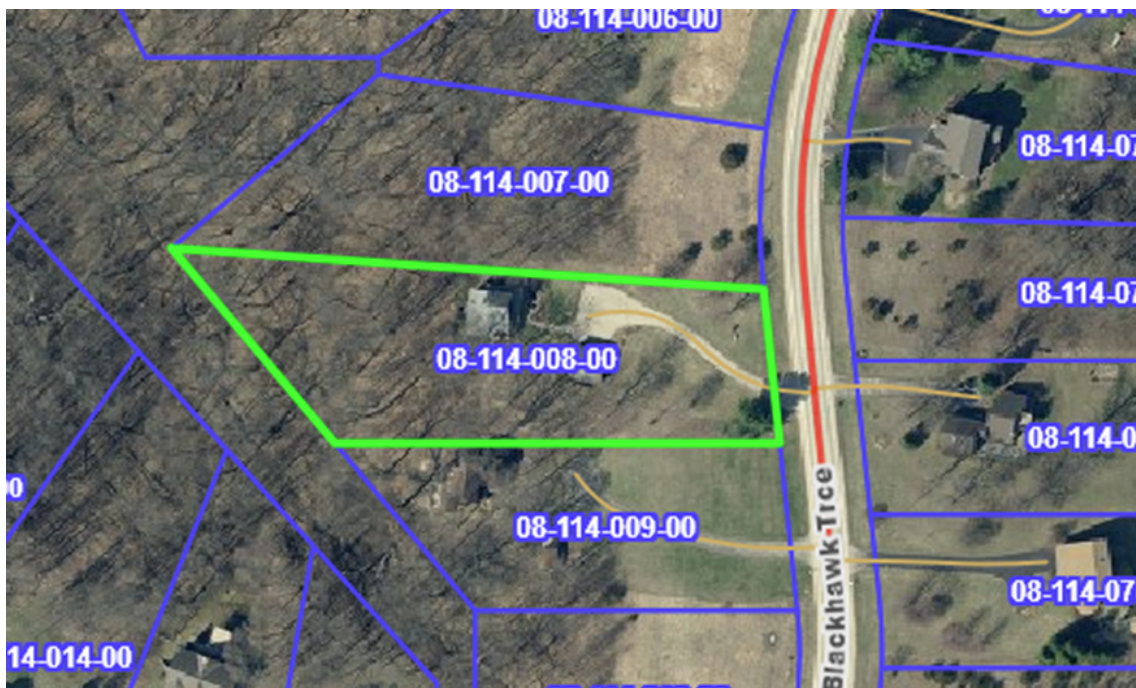
PARCEL NO: 08-114-008-00

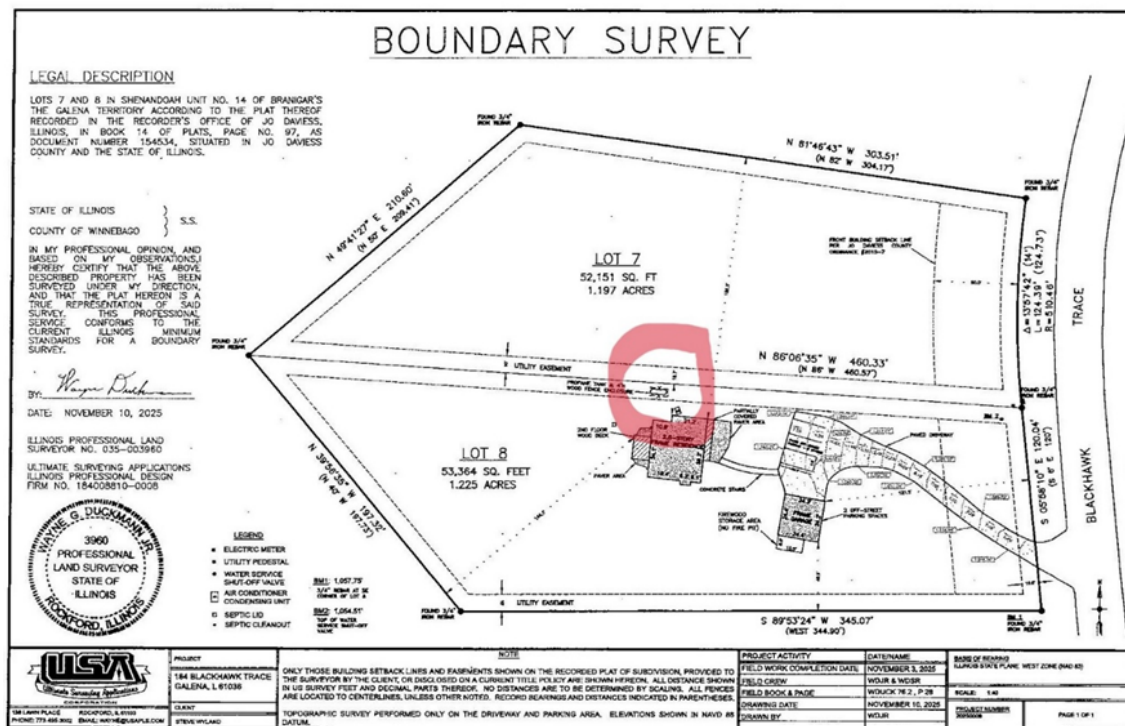
Wastewater Treatment: The septic system on the property was inspected in October 2025 and passed the inspection with no issues.

Access Considerations: The County Highway Engineer has no concerns regarding the existing access

to the property.

Other Considerations: The subject property is situated on the west side of Blackhawk Trace, just north of the intersection of Blackhawk Trace and Cedar Rim TR in The Galena Territory resort community. The 1.22-acre property is the site of a four-bedroom residence constructed in 1990 with an addition constructed in 2005. The petitioners will ultimately seek approval of a Guest Accommodation License for the property, however, the setback between the structure and the northerly property line is 18.7-feet where a 20-foot setback would be required for a home of this size for short-term rental (Section 8-5B-46 4a of the County Zoning Regulations). The petitioners also own the vacant property to the north of the subject site. The request was initially processed as an Administrative Variance, however a neighbor across the street objected to the request which now requires the request to be considered by the Planning Commission/ZBA. If the Variance is approved, the property owner will then be required to apply for a Zoning Certificate as a precursor to applying for a Guest Accommodations License.





Standards for Variations: The Zoning Board of Appeals shall make findings of fact based upon the evidence presented to it specifying the reason for making such variation including findings with respect to the following standards:

1. The physical surroundings shape, or topographical conditions of the specific property will cause practical difficulties or a particular hardship to the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.
2. The conditions upon which a petition for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property within the same zoning classification.
3. The purpose of the variation is not based exclusively upon a desire to make more money out of the property.
4. The alleged difficulty or hardship is caused by this ordinance and has not been created by persons presently having an interest in the property.
5. The granting of the variation will not alter the essential character of the locality, and will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.
6. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public street, or increase the danger of fire or flooding, or endanger the public safety, or substantially diminish or impair property values within the neighborhood.

7. The variation requested is the minimum variation that will make possible the reasonable use of the land or structure.

Variance Findings of Fact/Explanation of Criteria:

1. What is there about the physical nature of this particular site that creates a necessity for a variance?
2. What is there about the request in general that distinguishes itself from other properties in this same zoning classification?
3. Is the purpose of this request to solve a problem for the property owner or strictly to increase the value of the property for purposes of selling it?
4. From the testimony, who was responsible for creating the situation which now requires that a variance be granted on this property?
5. Will this request be out of character with the neighborhood (such as allowing a forty-foot structure in a high-density residential area)? Will it be detrimental to the public, such as creating a blind spot at an intersection?
6. What affect will this variation have on the public's safety or on the value of other property or improvements to property in the area?
7. Can reasonable use be made of this property without the variance and is the variance requested the least amount needed? (Have they asked for a 20-foot variance, when only a 10-foot variance is needed?)

Chair Huschitt opened the public hearing.

Danielle Cline (322 N Main ST, Galena, IL 61036) represented the petitioners. She had nothing to add to the staff report. Will be used for personal use.

Huschitt requested clarification about the ownership of the property to the north. Meeker indicated that the petitioner owns that parcel as well; property owners across the street objected to the initial Administrative Variance request.

Huschitt asked how frequently the home will be rented out versus used by the owners. Danielle Cline responded that she believes the owners plan to be at the property on a monthly basis.

Public hearing closed.

Variance standards were reviewed and all were found to be met.

A motion to approve the petition for a **Variance** from the side-yard setback to permit an 18.7-foot setback where 20-feet would normally be required for a four-bedroom residence to be licensed for Guest Accommodations (Jo Daviess County Zoning Regulations, Section 8-5B-46 B 4a) was made by

Peter Huschitt and seconded by Don Hill.

The motion carried by roll call vote. Ayes – Peter Huschitt, Steve McIntyre, Don Hill, Gary Diedrick. Ayes: 4. Nays – None. Nays: 0. Absent – Ron Mapes. Absent: 1.

VII. Citizens' Comments (Matters not otherwise on the Agenda)

None.

VIII. Reports and Comments (Commission Members and Staff)

Planning & Development Administrator Meeker updated the Commission regarding the proposed Zoning Ordinance Amendments recommended by the Zoning Ad-Hoc Subcommittee; Chair Corey Cassens' white paper outlining the amendments was presented to the County Board at its January 9, 2026 meeting, Commissioners may access the document through that agenda portal. Staff is currently tasked with drafting the proposed amendments in a form that may be adopted into the code before scheduling hearings on the amendments. A study session with the Commission to review the recommendations will be scheduled in advance of the formal public hearing on the amendments; this could be a separate meeting from a regular meeting. It is hoped that the entire process will conclude by June 2026 with a hearing held in April/May 2026.

IX. Adjourn

A motion to adjourn was made by Don Hill and seconded by Steve McIntyre.

The motion carried by roll call vote. Ayes – Peter Huschitt, Steve McIntyre, Don Hill, Gary Diedrick. Ayes: 4. Nays – None. Nays: 0. Absent – Ron Mapes. Absent: 1.

The next meeting of the Planning Commission/Zoning Board of Appeals will be held on Wednesday, February 25, 2026
