

JO DAVIESS COUNTY
AD-HOC ZONING COMMITTEE
MEETING MINUTES
JULY 15, 2025

I. Call to Order

Chairperson Cassens called the meeting to order at 6:00 PM on Tuesday, July 15, 2025 in the Jo Daviess County Board Room, Jo Daviess County Administrative Offices (temporarily located in the former Galena Primary School at 219 Kelly Lane, Galena, IL)

II. Roll Call

Roll Call was answered as follows: Present – Michael Dittmar, LaDon Trost, Diane Gallagher, John Creighton, Cory Cassens, Dan Caswell, Joel Holland, LaVonne Deininger, Steve McIntyre, Tony Jones, William Meeker. Present: 11. Present electronically – 0. Present electronically: 0. Absent – Beth Baranski, Brian Engle. Absent: 2. Also present: County Administrator Angela Kaiser and County Board member John Schultz.

III. Approval of Minutes

A motion to approve the minutes of the June 17, 2025 Ad-Hoc Zoning Committee meeting was made by Steve McIntyre and seconded by Joel Holland. The motion carried by voice vote.

IV. Citizens' Comments

County Administrator Kaiser referred to a June 23, 2025 memorandum from Laura Edmonds, Jo Daviess County Assessor's Office re: permit exemptions for accessory structures of a certain floor area. The Subcommittee acknowledged receipt of the memorandum.

There were no other citizens comments.

V. Unfinished Business

Chair Cory Cassens polled each Subcommittee member regarding their conversations with other stakeholders re: issues with the Zoning Regulations since the June meeting.

Tony Jones noted that he had spoken to Mitchell Kappes, Mayor of Stockton and the City's Fire Chief, Bruce Marcure. Marcure noted that his jurisdiction would be able to deal with an additional subdivision or two in the area; in the event that an incident becomes too large to handle locally, mutual aid would be called. Noted a situation where an individual wished to build a machine shop on their home site, but could not do so. Kappes indicated he would like to retain the "40-acre rule"; perhaps smaller close to the towns. Liked A-Frame communities.

Steve McIntyre noted that he's been reviewing the County's Land Evaluation Site Assessment (LESA) program to determine if modifications may be made to make scoring a bit more fair. This is a tool that can be adjusted fairly easily to save farm ground and protect homes within 1 1/2 miles of a municipality. May have more to report next month.

William Meeker indicated that he has been more focused on the organization of the Zoning Regulations. He also noted that he continues to attempt to find more "positive" zoning regulation examples that focus more on what is not allowed, rather than itemizing uses that are allowed to provide greater flexibility in land-use.

Michael Dittmar spoke to Rice Township representatives who generally indicated support for changing the "40-acre rule" and would like to see greater flexibility for home occupations. They also expressed support for changes to Blackjack RD; can grant funding be used?

Joel Holland noted that he had a conversation with Barb Hocker of the Galena Chamber of Commerce. She believes that there is misinformation regarding the County's regulations versus the other communities' regulations. AirBnB quality is down. She supported more workforce housing. He also spoke to Nicole Winter at the Village of Scales Mound, who expressed that there are some issues with the County's sign regulations. He also spoke with Galena School District Superintendent Tim Vincent; the "40-acre rule" is viewed as a deterrent to people moving into the County. It is difficult enough to afford a house without requiring a minimum of 40 acres of land.

Dan Caswell expressed an interest in allowing accessory dwellings as permitted uses to generate more affordable housing opportunities. He noted that he had a proposal that he could provide to the group. He was unable to connect with Township representatives.

Cory Cassens noted that he met with Pleasant Valley Township representatives and has a meeting with the Farm Bureau Board in the coming days.

LaVonne Deininger indicated that he reached out to the Scales Mound Fire Department and all the local Directors; no responses were received. Had a pocket dial from a business owner; she solicited comments from that party; need to allow UTVs in Jo Daviess County. Spoke to another farmer; need to allow the make things easier for agri-tourism uses. There is varied support for the 40-acre rule. Some individuals noted concern about cemetery maintenance.

Mike Dittmar noted that the Board is on the path to funding cemetery maintenance.

LaDon Trost spoke to Ron Mapes; discussed many things, but he emphasized his support for the 40-acre rule. Has never seen an instance where the County Board has not granted a permit to allow construction on a smaller than 40-acre lot, other than an instance where there was a proposal to allow hunting close to other homes which was denied.

Diane Gallagher met with the City of East Dubuque, Dunleith Park Board. Has other meetings scheduled with Dunleith Township, Menominee Township, East Dubuque Library Board, and others. Tried to present the information in a manner that may promote the most interest. East Dubuque is more interested in developing their downtown and are more interested in the larger parcels within their jurisdiction. Found LESA information from McLean County; there may be other approaches to scoring.

John Crieighton spoke to Mayors of Warren and Stockton as well. Confirmed prior comments from Stockton Mayor. The Warren Mayor wasn't concerned about the 40-acre rule. Both expressed support for business development.

VI. New Business

Dan Caswell discussed the accessory dwelling units issue; currently a special use, but could be a permitted use. Will promote a wider range of housing options, greater affordability, additional income for property owners, and flexibility for agricultural housing needs. Referenced a new Iowa law that would eliminate restrictions on accessory dwelling units. Suggested listing them as a permitted use, subject to standards. Clarify the definition of an accessory dwelling units. People tend to like this type of opportunity. Reviewed his draft of modifications to the accessory dwelling unit regulations.

LaDon Trost commended Caswell regarding his suggestion; this is exactly why this group exists.

Dan Caswell noted that some zoning ordinances allow the accessory dwelling unit to be sold off separately in the future. There was also a brief discussion regarding setbacks, etc.

Steve McIntyre noted that this is a great suggestion as it may also help to keep children of farming families in the County.

William Meeker expressed support for the proposal. Asked if there would be a desire to limit the size of the dwelling. Also noted that if this type of amendment occurs, staff would advise individuals building these units to think about whether they may wish to sell the unit in the future; in that case the owner would need to ensure that setback requirements can be met once the unit is separated.

Mike Dittmar asked if a trailer would be permitted as an accessory dwelling unit? Would allowing such units negate the need to remove an existing home from a property once a new home is constructed?

William Meeker stated that only one principle use is allowed on a property currently, however, if an accessory dwelling unit is allowed by right, then this would allow two dwelling units. In the event where there was already a unit on the property, then it would be permitted to stay as either the principle structure, or as the accessory dwelling unit.

The discussion of accessory dwelling units continued with various alternatives discussed.

A motion to recommend revising suggested modifications to accessory dwelling units as presented and discussed was made by Dan Caswell and seconded by LaDon Trost. The motion carried by voice vote.

Dan Caswell also reviewed his recommendations regarding home occupations; he referenced his hand-out with his recommended changes as distributed at the June meeting. Recommended changes include: 1) allowing home occupations to be in an accessory structure, including an accessory dwelling unit; 2) no limitation on the number of employees (many uses are seasonal with variable employee needs), but shall not become a nuisance; 3) allow incidental sale of items that may not be

made on the property but are related to the primary home occupation.

LaDon Trost left the meeting at 7:00 p.m.

Break: 7:00 p.m. - 7:09 p.m.

Dan Caswell continued the discussion regarding the sale of items not made on the site by a home occupation; he eliminated the words incidental and related from his draft.

William Meeker stated that perhaps could state that the majority of items sold shall be made on the property; other items not made on the site may also be sold.

Dan Caswell recommended that signage for the home occupation be allowed to be placed on any building wall on the property. Discussion ensued. Allow on-premise signage subject to the County's sign regulations, but do not allow them to be lighted. Also revise code to prohibit "excessive" noise, vibration, glare, etc... Intended to look at nuisance factors. Also recommended eliminating the prohibition on deliveries by tractor/trailer. Regarding types of uses allowed; suggested adding computer-related services, design services, and similar uses. Suggested allowing antique retail sales, vehicle repair, and veterinary clinics.

A motion to recommend suggested modifications regarding home occupations as presented and discussed this evening and as modified in the discussion was made by Dan Caswell and seconded by LaVonne Deininger. The motion carried by voice vote.

Mike Dittmar introduced the idea of application fee reductions in instances where a limited term has been placed on a Special Use Permit.

Dianne Gallagher suggested an approach that would allow staff to notify neighbors and solicit whether or not they have issues with a Special Use Permit extension, if not, then no meeting would be required.

Mike Dittmar discussed guest accommodations licenses; has no issue with competition. Suggested keeping the standards the same whether or not the residence is to be used for guest accommodations or just as a normal residence. Specifically noted parking space grades, driveway grades, land-line phone requirement, and setbacks. Will review in more detail at the next meeting.

VII. Citizens' Comments

John Schultz noted that he thought the maximum square footage for an accessory structure allowed without a building permit was already revised from 120 square feet to 160 square feet. He also noted that the 40-acre rule in agricultural areas works in certain portions of the County, but not in the area where his property is located.

VIII. Committee Member Concerns

None.

IX. Adjourn

Motion to adjourn was made at 08:06 PM by Joel Holland and seconded by William Meeker. Motion carried by voice vote.

Next committee meeting is Tuesday, August 19, 2025 at 6:00 p.m.