

## June Month-End Report

*21 draft application, issued 13 permit, 256 open permits, 1 complaint & conducted 15 site visits at various locations throughout the county.*

1. The BOCO Zoning Board met on 6.10.2025 to work on ordinance updates. The BOCO board approved four ordinance updates and tabled one at their 6.17.25 meeting. Request tabled item be voted on at the 7.1.25 BOCO board meeting.
  - **APPROVED WITH CHANGES:** Amendment #1: Sections 5-12.2, 5-12.4, 8-7 – Fee Schedule and Appendix “A”
  - **APPROVED** Amendment #2: Section 5-13 – Battery Energy Storage Systems (BESS)
  - **APPROVED** Amendment #3: Section 5-12 – Solar/Wind Energy Systems (SWES)
  - **APPROVED** Amendment #4: Section 8-2 – Initial Certificates of Zoning Compliance (Siting Permit)
  - **TABLED** Amendment #5: Section 4-12 – Minimum Lot Area Variance in A-1 Agricultural District
    - **Proposal:** Allow the Zoning Board of Appeals to grant variances for existing sub-5-acre parcels in the A-1 District, provided they do not meet the standard for high agricultural productivity.
    - **Zoning Board Recommendation:** Denial by a vote of 3–1. The ZBOA determined that the amendment would erode the purpose of agricultural zoning and that existing variance procedures remain the appropriate mechanism for addressing such requests.
    - **Zoning Admin Comments:** Dissent. In my experience and opinion, the zoning board is applying the definition of the ag district too rigidly and strictly enforcing the requirements of this district without exception to all parcels located in the A-1 district whether the parcel meets the definition of the district or not. The variance process is designed to allow the zoning board to 'relax' the requirements of the ordinance. The zoning board, on a discretionary basis, may relax specific requirements under special circumstances. In fact, they are doing the opposite. I can find no variance request of this type that has been approved by the zoning board since before 2015.
    - Article 4 of the Bond County Zoning Ordinance states ‘The “A-1” District encompasses sparsely developed areas which, because of the fertility of the soil, topography, the availability of water, and other factors, including the suitability of the land for the raising of animals, have high agricultural productivity. The regulations for this district are intended to preserve such agricultural land by severely restricting the encroachment of non-agricultural uses and structures.’
    - There are multiple parcels through-out the county that were created prior to adoption of this ordinance that, for various reasons, do not meet the litmus test to qualify to build dwellings/structures in the A-1 district.
    - There are multiple areas throughout the county, in the A-1 district, that do not meet the standards of the verbiage in item 1 above but are unable to meet 5-acre minimum parcel requirement.
    - In these situations, the land in question is either not suited to be farmed or too small to raise animals.
    - The zoning office has been contacted by multiple citizens including landowners, Realtors, county officials and buyers seeking home sites inquiring why such locations, items 2 & 3 above, are not permissible to be developed.
    - The county is missing out on \$ hundreds of thousands of dollars in potential tax revenue by not allowing homes to be built on such lots.
    - Concern has been raised over the use of the word 'discretion' in this amendment. This word is defined in the ordinance under Article 2 Definitions section 2-1 Construction of Terms (e) The term “shall” is mandatory’ the term “may” is discretionary.
2. Requesting board approve cost estimate of \$102,960.00 to build out public improvements for 3-Points Subdivision as required by the BOCO Subdivision Ordinance. A cost break-down and ordinance requirements were sent to the subdivision committee for review.