



# City of Rochelle

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P.O. Box 601  
Rochelle, IL 61068  
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**TO:** Meggon McKinley, Interim City Manager  
**FROM:** Chris Limas, AICP  
Community Development Director  
**DATE:** February 8, 2011  
**SUBJECT:** Case PZC-11-10 Pre-Manufactured Vaulted Toilet Sewage System  
Variance (Public Hearing)

Applicant: Flagg Rochelle Community Park District  
Location: Cooper Park  
Zoning: R-1, Single Family Low Density Residential  
Comprehensive Plan: Recreation/Public Open Space  
Use: Park

## Summary

On February 7, 2011 the Planning and Zoning Commission finished a public hearing which started in September on a request by the Flagg Rochelle Community Park District to be allowed to construct a Vaulted Toilet Sewage System at Cooper Park. The variance request is from Chapter 98, Article IV, Section 98-152 (a) (6) of the Rochelle Municipal Code which requires a toilet facility to connect to the City sewer system.

The applicant is in the process of redeveloping Cooper Park and as part of the redevelopment they are requesting to install a Pre-Manufactured Vaulted Toilet System that will not be connected to the City sewer system. The applicant has indicated that the reasons for making this request is due to vandalism, to keep them open all year and to lower operational cost.

Staff has reviewed this proposal and has recommended **denial** of the request to the Planning and Zoning Commission for the following reasons:

- 1) The proposed toilet facility can be connected to the City sewer system which is in the vicinity.
- 2) The City does not make such exceptions to other non-residential property in the City.
- 3) The City has told residents who have requested a septic system that they cannot use this form of sewerage treatment and containment. The City should not be giving preferential treatment to someone else.

- 4) If this facility were constructed in Ogle County and a sewer system was accessible, they would be required to connect.
- 5) Vandalism is not a reason to grant a variance.
- 6) Days of use is not a reason to grant a variance.
- 7) To lower operational cost is not a reason to grant a variance.

At the September meeting representatives from the Park District indicated that other communities allow the use of such a system. At the February meeting a memo from Water/Water Reclamation Superintendent Kathy Cooper was discussed with her findings on the communities that were discussed at the September meeting. Attached is a copy of the memo which indicates that the communities surveyed would require a connection to their local sewer system.

#### **Findings of Fact**

After review of the testimony at the public hearing, the Planning and Zoning Commission found that the requested variance was appropriate because of the following:

- 1) That the request was a unique situation because it was located in a park.
- 2) That it would help control vandalism.

#### **RECOMMENDATION**

The Planning and Zoning Commission voted to recommend **approving** the variance request from Chapter 98, Article IV, Section 98-152 (a) (6) of the Rochelle Municipal Code for the Flagg Rochelle Community Park District to allow the installation of a pre-manufactured vaulted toilet system in Cooper Park that will not connect to the City sewer system.

**VOTE:** 5-2 to approve



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Tele: (815) 562-6161  
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**TO:** Planning and Zoning Commission  
**FROM:** Chris Limas, AICP  
Community Development Director  
**DATE:** December 1, 2010  
**SUBJECT:** Case PZC-11-10 Pre-Manufactured Vaulted Toilet Sewage System  
Variance (Public Hearing)

**Applicant:** Flagg Rochelle Community Park District  
**Location:** Cooper Park  
**Zoning:** R-2, Single Family-Medium Density  
**Comprehensive Plan:** Recreation/Public Open Space  
**Use:** Park

## Summary

At the September Planning and Zoning Commission meeting the Commission opened up the public hearing on a request by the Flagg Rochelle Community Park District to be allowed to construct a Vaulted Toilet Sewage System at Cooper Park. The public hearing has been continued to the December meeting at the request of the Park District. The following was noted at the September meeting by staff:

- 1) The applicant is requesting a variance from Chapter 98, Article IV, Section 98-152 (a) (6) which requires a toilet facility to connect to the City sewer system. Please note this City code is not part of the Subdivision or Zoning Ordinance but under Chapter 98, Utilities of the Rochelle Municipal Code. If a variance is requested from a City Ordinance that is development related it is sent to the Planning and Zoning Commission for a public hearing and then a recommendation is sent to the City Council.
- 2) The applicant is in the process of redeveloping Cooper Park and as part of the redevelopment they are requesting to install a Pre-Manufactured Vaulted Toilet System that will not be connected to the City sewer system. The applicant has indicated that the reasons for making this request is due to vandalism, keep them open all year and to lower operational cost.

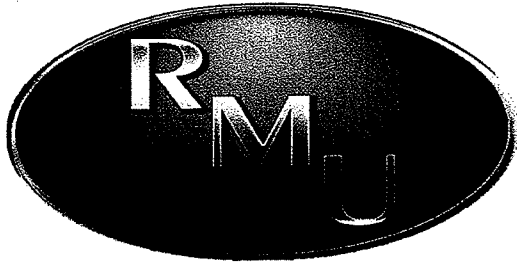
At the meeting representatives from the Park District indicated that other communities allow the use of such a system. Attached is a memo from Water/Water Reclamation Superintendent Kathy Cooper with her findings on the communities that were discussed at the meeting.

Staff has reviewed this proposal and is recommending denial of the request for the following reasons:

- 1) The proposed toilet facility can be connected to the City sewer system which is in the vicinity.
- 2) The City does not make such exceptions to other non-residential property in the City.
- 3) The City has told residents who have requested a septic system that they cannot sue this form of sewerage treatment and containment and we should not be giving preferential treatment to someone else.
- 4) If this facility were constructed in Ogle County a sewer system was assessable they would be required to connect.
- 5) Vandalism is not a reason to grant a variance.
- 6) Days of use is not a reason to grant a variance.
- 7) To lower operational cost is not a reason to grant a variance.

#### RECOMMENDATION

Based on the above noted reasons, staff is recommending denying the variance to allow the Flagg Rochelle Community Park District to install a pre-manufactured vaulted toilet system in Cooper Park that will not connect to the City sewer system.



## Rochelle Municipal Utilities Water/Water Reclamation

To: Ed Carr/Chris Limas

From: Kathy Cooper

Date: October 25, 2010/Updated February 4, 2011

Re: Vaulted Toilet usage in communities

The Flagg-Rochelle Park District has requested a variance for the installation of a "Vaulted Toilet" at Cooper Park, Tenth Avenue, Rochelle. This request is to install a toilet facility that would not be connected to the sanitary sewer system and the Park District would pump the vault on an as-needed basis.

City Code 98-152 (a) (3) requires "The owner of all houses, building, or properties used for human occupancy, employment, recreation, or other purposes situated within the city and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located any public sanitary sewer of the city is required at the owner's expense to install suitable toilet facilities therein, and to connect such facilities directly with the POTW..." The Ogle County code also requires connection of a facility when a sanitary sewer system is available.

At the September Planning and Zoning meeting, it was mentioned that park districts in other communities in Northern Illinois have installed the "Vaulted Toilets", and not connected them to the sanitary sewer system. I contacted the Public Works Department/Sewer Division, in four of the communities that were listed as having "Vaulted Toilets" in their communities. All four stated that if a sewer connection were available, the Park District was required to connect to the sanitary sewer system.

The communities contacted were:

1. Naperville, Tony Conn: He stated that Naperville requires a connection where the sanitary sewer system is available. I followed up with the question, "Do you have a guideline for what you consider availability of a sanitary sewer system?" Naperville does not have a specific limit, but Mr. Conn stated that within the past few years, Naperville required the Park District to install a 2,000 foot force main to connect Pioneer Park to the sanitary system.
2. Hoffman Estates, Terry White: He stated that the Park District in Hoffman Estates has installed the vaulted toilet system, but they are required to pump them to a manhole. The toilets were installed on a golf course in the community, and the Metropolitan WRD, which services Hoffman Estates, requires a connection to the sanitary system.
3. Lombard, Dave Gorman: The Park District has installed the "Vaulted Toilets" without a permit, and the Lombard Village Code requires connection to the sanitary system. Had they been asked, Public Works would not have allowed the connection. The Public Works Division did not seem to be aware of the installations until they received my call, and "this was off their radar". The Public Works Division is going to "have a pow-wow" to determine how they will proceed.

4. Blue Island, Joseph Werner: The Water Department Superintendent was not aware of any vaulted toilets in his community, but hedged his response, as he had been in the position for only four months. He further added that he is also the Plumbing Inspector for Blue Island, and a planning perspective dictates, (and he believes is dictated by the State Plumbing Code), that if a sanitary sewer system is available for use, then a connection is required. The only time he could foresee a variance granted is in a Forest Preserve where a remote location would make it unfeasible for a sanitary sewer connection.

I contacted Jim Brown, the State Plumbing Inspector for the Rochelle area, and he said he did not believe it was required in the State Plumbing Code, but City Code could require a connection. (Attached is the State Plumbing Code).

Cooper Park is within the Rochelle city limits, and there is a sanitary sewer collection system available for a connection. I do not recommend the granting of the variance.

**Joint Committee on Administrative Rules**  
**ADMINISTRATIVE CODE**

**TITLE 77: PUBLIC HEALTH**  
**CHAPTER I: DEPARTMENT OF PUBLIC HEALTH**  
**SUBCHAPTER r: WATER AND SEWAGE**  
**PART 890 ILLINOIS PLUMBING CODE**  
**SECTION 890.170 SEWER AND/OR WATER REQUIRED**

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**Section 890.170 Sewer and/or Water Required**

- a) Each building which is intended for human habitation or occupancy shall have a connection to a public water system, a semi-private water system, or a private water supply constructed in accordance with the requirements of the Illinois Water Well Construction Code (77 Ill. Adm. Code 920) or the Surface Source Water Treatment Code (77 Ill. Adm. Code 930), and a connection to a public sewer system or private sewage disposal system constructed to the requirements of the Illinois Private Sewage Disposal Code (77 Ill. Adm. Code 905). All installations shall also be in accordance with any additional applicable State and local laws, ordinances, rules and regulations and local codes.
- b) For purposes of this Section, individually owned residences that share a common wall or ownership right and have ground floor access, such as townhouses or rowhouses, shall be treated as separate buildings and shall have separate connections to a public water system, a semi-private water system or a private water supply as required in subsection (a) of this Section. However, such individually owned residences established as part of a condominium association may use a single water supply service line from the public water supply to a centralized location, such as an exterior manifold or meter room with independent shutoff valves to each unit. There shall be a main shutoff valve at the property line. Such arrangements shall comply with requirements set forth by the local water department or water authority.
- c) Private Water Supply Interconnection.
  - 1) A private water supply shall not be interconnected with a public water system unless it is located and constructed in accordance with the Water Well Construction Code (77 Ill. Adm. Code 920) and Water Well and Pump Installation Code (77 Ill. Adm. Code 925), and the public water system is protected against backflow and back siphonage as specified in Section 890.1130.
  - 2) No physical connection shall be permitted between the potable water system and any non-potable water source.
- d) All plumbing fixtures, drains, appurtenances, and appliances used to receive or discharge sanitary waste shall be connected to the drainage system of the building or premises in accordance with the requirements of this Part.

(Source: Amended at 28 Ill. Reg. 4215, effective February 18, 2004)



Water hydrants or fountains

Water Mains

Water Mains

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