

## MINUTES

### LIVINGSTON COUNTY ZONING BOARD OF APPEALS

Livingston County Historic Courthouse  
112 W. Madison St.  
Pontiac, Illinois

May 7, 2015

Regular Meeting  
7:00 p.m.

Chairman Nielsen called the meeting to order and roll call was taken.

Members Present: Michael Cornale, John Vitzthum, Richard Kiefer, Diana Iverson and Gibs Nielsen.

Members Absent: Howard Zimmerman and Joan Huisman.

#### Agenda:

Mike Cornale moved, seconded by Richard Kiefer, that the agenda for this May 7, 2015 meeting be approved as presented. This motion was approved by unanimous voice vote.

#### Minutes:

John Vitzthum moved, seconded by Diana Iverson, that the minutes of the March 5, 2015 meeting be approved as presented. This motion was approved by a unanimous voice vote.

#### Business:

##### Case SU-3-07 – Review – Jim Frailey

A representative of this zoning case was not present for this review and the zoning board of appeals chose to defer this review until a future zoning board of appeals meeting.

##### Case SU-1-09 – Review – Kaeb Wood Products

This zoning case pertains to a review for a special use permit to allow for the development of a pallet grinding business as a machine shop & contractor's storage yard, craft & service occupation, in an AG, Agricultural, District. The subject property in this zoning case is a tract of land 1.56 acres in size, located in the West Half of Section 22 in Reading Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Phillip Kaeb, 27278 E – 500 North, Rd., Leroy, IL, representing the applicants in this zoning case, presented testimony relative in this zoning case. Mr. Kaeb remarked that their operations are still the same in regard to their pallet grinding operations. They continue to grind pallets and color mulch. Mr. Kaeb related that they no longer grind the spools. They do continue to make bedding and colored landscape mulch, with the colors of the landscape mulch being brown, black and red. They continue to try to store pallets between the buildings, instead of in front of their building.

No other parties presented testimony relative to this zoning case.



In his closing comments, Mr. Kaeb expressed that reviewing this zoning case again in four years would be great.

Mike Cornale moved, seconded by John Vitzthum, that Livingston County Zoning Case SU-1-09 Review be approved to allow for the continued special use of a pallet grinding business, as a machine shop & contractor's storage yard as a craft/service occupation on the subject property in an AG, Agricultural, District, with the previous conditions except with the next review of this zoning case to take place in 4 years, unless otherwise determined by the Livingston County Zoning Administrator.

This motion then passed by roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Iverson	- Yes
Zimmerman	- Absent (Did not Vote)	Huisman	- Absent (Did not Vote)
Nielsen	- Yes		

#### Case V-1-15 – Harry & Rebecca Simmons

This is a review of a request for a variation in the front yard setback requirements, in an AG, Agricultural, District, to allow for the construction of a Morton Building, 10 feet instead of 40 feet from the front lot line. The property in question for this zoning case is a 2.31 acre parcel of land located on the edge of unincorporated Blackstone in Section 7 of Sunbury Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case

Terry O'Neal representing Morton Buildings, Harry Simmons and Rebecca Simmons currently residing in Ottawa, IL at 2125 Cottonwood Dr. with plans to move to the subject property, represented the property ownership in this zoning case. Harry Simmons reasoned that they want the building in the proposed location is because they plan on building a new home on the adjoining parcel of land that they also own. They would like to preserve the trees on this property so they bought the subject property to place the proposed shed. They would demolish the existing house on the adjoining property and replace it with the mentioned new house. The placement of an entrance culvert was discussed, and Mr. O'Neal commented about the entrance to the building. Doors to the building were then discussed. Mr. Simmons explained that the building would be for the storage of his three trucks, his boat and a hauler. Visibility issues were then discussed as not being an issue, with the proposed building location. Mr. O'Neal indicated that they will relocate an existing drainage swale to the north side of the building. Drifting snow should not be an issue. The proposed building may eventually have a concrete floor.

No other interested parties presented testimony relative to this zoning case.

In closing statement Mr. O'Neal remarked that the building would be an improvement to the county and to the unincorporated Village of Blackstone.

Richard Kiefer moved, seconded by Michael Cornale, that Livingston County Zoning Case V-1-15 be approved allowing for a variation in the front yard setback requirements, in an AG, Agricultural, District, to allow for the construction of a Morton Building, 10 feet instead of 40 feet from the front lot line, on the property in question for this zoning case being a 2.31 acre parcel of land located on the edge of unincorporated Blackstone in Section 7 of Sunbury Township.

This motion then passed by roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Iverson	- Yes
Zimmerman	- Absent (Did not Vote)	Huisman	- Absent (Did not Vote)
Nielsen	- Yes		

Findings of Fact and Decision:

After reviewing the draft details of the Finding of Fact and Decision, of the March 5, 2015 meeting and of this May 7, 2015 meeting John Vitzthum moved, seconded by Richard Kiefer, that the Findings of Fact and Decision of the March 5, 2015 meeting and for this May 7, 2015 meeting be approved as presented. This motion was approved by a unanimous voice vote.

In Public Comments: None were made.

General Discussion and Informational Update: The Pleasant Ridge hearing schedule was discussed, as was a proposed extension of the moratorium on the filing of new WECS special use applications, as the review of the county wind energy regulations continues.

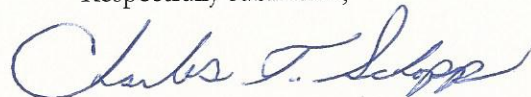
The Board was informed that their next scheduled meeting is to be held on June 4, 2015 at 7:00 p.m.

Then John Vitzthum moved, seconded by Diana Iverson, that this meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 6:55 p.m.

Material regarding these proceedings is on file in the Livingston County Regional Planning Commission Office, in the Livingston County Historic Courthouse, 112 W. Madison St., Pontiac, Illinois.

Respectfully submitted,



Charles T. Schopp, Secretary  
Livingston County  
Zoning Administrator