

MINUTES

LIVINGSTON COUNTY ZONING BOARD OF APPEALS

Livingston County Historic Courthouse

112 W. Madison St.

Pontiac, Illinois

Regular Meeting

August 6, 2015

7:00 p.m.

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

Members Present: Michael Cornale, Richard Kiefer, Joan Huisman and Gibs Nielsen.

Members Absent: John Vitzthum, Diana Iverson and Howard Zimmerman.

Agenda:

Richard Kiefer moved, seconded by Joan Huisman, that the agenda for this meeting be approved as presented. This motion was approved by unanimous voice vote.

Minutes:

Joan Huisman moved, seconded by Michael Cornale, that the minutes of the July 9, 2015 meeting be approved as presented. This motion was approved by a unanimous voice vote.

Business:

Case SU-11-98 – Review - Galbraith

The subject property in this zoning case pertains to a review of a special use permit allowing for the continued location of a mobile home on the subject property in an AG, Agriculture, District. The subject property in this zoning case is a parcel of land located in Section 6 of Union Township, at 26739 N – 2500 East Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. This information included recent photos of this property development.

Thomas Zingrone, representing the applicant and property owner, presented testimony relative to this zoning case. Mr. Zingrone explained that nothing has changed, that all is the same with the subject property. Mr. Zingrone related that he is the caretaker of the subject property.

No interested parties presented testimony relative to this zoning case.

No closing comments were made relatively to this zoning case.

Joan Huisman moved, seconded by Michael Cornale, that Livingston County Zoning Case SU-11-98 – Review be approved to allow for the continued location of a mobile home on the described property, with this zoning case to be reviewed again in 5 years, unless otherwise determined by the Livingston County Zoning Administrator.

This motion was approved by a roll call vote.

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

V-4-02 – Renewal – Moritz

No one was present at this meeting to represent this zoning case. Therefore, the zoning board of appeals will review this zoning case at a future meeting.

Case SU-6-06 – Review – P.T. Disposal

This zoning case pertains to a review of special use permit that allows for the location of a contractor's storage yard that allows for the storage of unrented roll off boxes on the same property as a residence in an AG, Agriculture, District. The property in question in this zoning case is a tract of land approximately 2 acres in size located in the Northwest Corner of the Southeast Quarter of Section 16 of Long Point Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case. This information included recent photos of the subject property.

Thomas and Patricia Decker, 24513 N – 300 East Rd., Long Point, IL., the applicant representatives and property owners in this zoning case, presented testimony relative to this zoning case. Patricia Decker commented that they had been in business for nine years and that there has been no more than 5 to 7 roll off containers parked on the property at one time, less than the agreed to 10 containers. Occasionally a loaded container is on the property overnight to be dumped the following day at the landfill. Patricia said they do not interfere with her yard and the house and stuff. Thomas Decker commented that he does not want them on the property anyway because when they are on the property they are not making him any money.

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

No closing statement was made in regard to this zoning case.

Joan Huisman moved, seconded by Michael Cornale, that Livingston County Zoning Case SU-6-06 – Review be approved, allowing for the continued approval of a special use permit to allow for the location for a contractors storage yard, that will allow for the storage of unrented roll off boxes on the same property as a residence on the described property in this zoning case,

in an AG, Agricultural, District, with the same conditions except that this zoning case is now to be reviewed again in 5 years, unless otherwise determined by the Livingston County Zoning Administrator.

The motion was approved by a roll call vote.

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

Case SU-7-06 – Review – Vactor Manufacturing, Inc.

This zoning case pertains to a review of a special use permit that allows for the location of a contractor's storage yard/machine shop that allows for a service center for the repair of Vactor Trucks, in an AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 1.85 acres in size in the Northeast Quarter of the Southeast Quarter of Section 3 of Reading Township, at 2108 Coalville Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. Recent photos of the subject property were also presented to the zoning board of appeals members.

Daniel Simpson, 10454 E – 3050 North Rd. Blackstone, IL., representing Vactor Manufacturing, as their facility's manager, the applicant in this zoning case, presented testimony relative to this zoning case. Mr. Simpson commented that business is continuing at this site as usual, working on repairs and the assembly process.

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

In his closing statements Mr. Simpson thanked the zoning board and expressed his appreciation for them allowing this use of the property.

Joan Huisman moved, seconded by Richard Kiefer, that Livingston County Zoning Case SU-7-06-Review be approved to allow for the continued approval of a special use permit to allow for the property described to be used for the location of a contractor's storage yard/machine shop in an AG, Agriculture, District, with this zoning case to be reviewed again in 3 years, unless otherwise determined by the Livingston County Zoning Administrator.

The motion was approved by a roll call vote.

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

Case SU-5-10 – Review – Wallrich

This zoning case pertains to a review of a special use permit that allows for the location of an additional single family farm dwelling as a special use, in an AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 4.15 acres in size, located in the Southwest Quarter of Section 3 of Charlotte Township, at 1434 N – 3300 East Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. Recent photos of the subject property were also presented to the zoning board of appeals members.

Sarah Wallrich, 14348 N – 3300 East Rd., Cullom, IL., the applicant and owner in this zoning case, presented testimony relative to this zoning case. Sarah Wallrich they would like to keep this property arrangement the same for their son, that right now their son is taking care of it, but they would like to keep the conditions the same in case some of their parents would need to move into the house to be close by. She noted that they had done some improvements to the older house with new windows.

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

Sarah Wallrich had no closing statement.

Joan Huisman moved, seconded by Richard Kiefer, that Livingston County Zoning Case SU-5-10 - Review be approved to allow for the continued approval of a special use permit to allow for an additional single family farm dwelling as a special use in an AG, Agriculture, District, with the continuing condition that the occupants of the older house on the subject property be limited to the applicant's son, daughter or parents, with this zoning case to be reviewed again in 5 years, unless otherwise determined by the Livingston County Zoning Administrator.

The motion was approved by a roll call vote.

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

Case SU-1-11 – Review – Leman Paint Works

This zoning case pertains to a review of a special use permit that allows for the location of a body shop business as a machine shop/welding shop, on the subject property, in an AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 2.34 acres in size located in the Southwest Quarter of Section 22 of Pleasant Ridge Township, at 27095 E – 1100 North Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. Recent photos of the subject property were also presented to the zoning board of appeals members.

Kirk Leman, 12571 N - 2700 East Rd., Forrest, IL., the applicant and property owner in this zoning case, presented testimony relative to this zoning case. Mr. Leman related that this land use is pretty much the same as it was before, running a body shop, doing some painting and sandblasting. Mr. Leman remarked that most of their work is on semis, automobiles and farm implement equipment.

Bekah Fehr commented that Mr. Leman does an excellent job.

Mr. Leman did not have any closing statements.

Joan Huisman moved, seconded by Michael Cornale, that Livingston County Zoning Case SU-1-11-Review be approved to allow for the continuation of a special use permit allowing for a body shop business as a machine shop/welding shop on the property described, in an AG, Agriculture, District, with this zoning case to be reviewed again in 5 years, unless otherwise determined by the Livingston County Zoning Administrator.

The motion was approved by a roll call vote.

Cornale - Yes

Vitzthum - Absent (Did not vote)

Kiefer - Yes

Iverson - Absent (Did not vote)

Zimmerman - Absent (Did not vote)

Huisman - Yes

Nielsen - Yes

Case SU-0-07 – Review – Frailey

This zoning case pertains to a review of a request for a special use permit which allows for the location of a contractor's storage yard to allow for a transportation business, in an AG, Agricultural, District. The property in question in this zoning case is a parcel of land approximately 3.14 acres in size located in the Northwest Quarter of Section 14 of Pontiac Township, at 1720 N. Aurora St., Pontiac. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Jim Frailey, 1720 N. Aurora St., Pontiac, IL. the applicant and property owner, presented testimony relative to this zoning case. Mr. Frailey commented that he does not have the car carriers anymore, so he no longer needs that part of the permit. Can still maintain the permit for the one Bee Express taxi care if the zoning board decides to do so.

The zoning board inquired about the current use of the property, which Mr. Frailey replied that they store park his two semis out there, no car carriers. Mr. Frailey remarked that he continues to haul for Lee Trucking and Brunton Trucking. Mr. Frailey confirmed that they still operate the taxi business at this address, and he will let the board know if they close the taxi business. The taxi business has declined with the Show Bus in town. Mr. Frailey related that the two semis are his, and he parks them on his property like a lot of other guys. He is just parking his trucks on the parking. Sometimes he has a trailer on the semi.

No other persons presented testimony relative to this zoning case.

Mr. Frailey had no closing statement.

Joan Huisman moved, seconded by Michael Cornale, that Livingston County Zoning Case SU-3-07 – Review, be approved, to allow for a contractor's storage yard, for a transportation business, in an AG, Agriculture, District, with the Zoning Board of Appeals to review this zoning case again in two years, in case the business is closed, unless otherwise determined by the Livingston County Zoning Administrator.

Mr. Frailey informed the board that he may have the place sold. If he sells the property he is to notify the zoning administrator. If it is sold any property use may need to be approved by the zoning administrator.

The motion was approved by a roll call vote.

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

Case ZT -2-15 – Livingston County Zoning Board of Appeals

This zoning matter pertains to a review of a proposed text amendment to the County Code of Ordinances, Livingston County, Illinois, Chapter 56 Zoning for the purpose of changing the text of Sec 56-292, Special Uses, in the C1, Local Business, District by adding (10) Rental Services and (11) Shooting Range, Indoor. The zoning administrator presented his report, exhibits and other information relative to this zoning case. The zoning administrator explained that this proposed text amendment is a result of Livingston County Zoning Board of Appeals Review of Livingston County Zoning Case ZM-1-15. Livingston County Zoning Case ZM-1-15 pertains to a proposal to change the zoning classification on three lots in unincorporated South Streator, from a R2, Low Density Multiple Family Residence, District to a C1, Local Business District. In view of the fact that some of the adjoining property to the property in question in zoning case ZM-1-15 is zoned as C1 and is developed with commercial uses the zoning board of appeals is recommending the approval of that zoning case.

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

No closing statements were made.

Joan Huisman moved, seconded Michael Cornale, that the Livingston County Zoning Board of Appeals recommend to the Livingston County Board that Livingston County Zoning Case Z-2-15 be approved to allow for a proposed text amendment to the County Code of Ordinances, Livingston County, Illinois, Chapter 56 Zoning for the purpose of changing the text of Sec 56-292, Special Uses, in the C1, Local Business, District by adding (10) Rental Services and (11) Shooting Range, Indoor.

This motion was approved by a roll call vote.

Cornale - Yes

Kiefer - Yes

Zimmerman - Absent (Did not vote)

Nielsen - Yes

Vitzthum - Absent (Did not vote)

Iverson - Absent (Did not vote)

Huisman - Yes

Findings of Fact and Decision:

After reviewing the draft details of the Finding of Fact and Decision, Joan Huisman moved, seconded by Richard Kiefer, that the Findings of Fact and Decision for this August 6, 2015 meeting be approved as presented. This motion was approved by a unanimous voice vote.

Public Comments: A discussion took place in regard to specifics of a placement of an indoor shooting range, in a basement or otherwise. With it being proposed as a special use the placement is flexible on a case by case basis.

General Discussion and Informational Update:

The zoning board members were briefed on the status of the review of the wind energy regulations. Some of the issues with wind energy regulations will need to go through legal review, including property value guarantee plans.

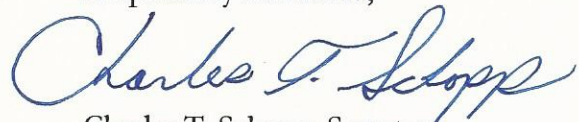
The Board was informed that their next scheduled meeting is to be held on September 10, 2015 at 7:00 p.m.

Then Joan Huisman moved, seconded by Richard Kiefer, that this meeting be adjourned. This motion was approved unanimously.

This meeting was adjourned at 7:55 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