

MINUTES
LIVINGSTON COUNTY ZONING BOARD OF APPEALS
Livingston County Historic Courthouse
112 W. Madison St.
Pontiac, Illinois

Regular Meeting
7:00 p.m.

January 7, 2016

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

Members Present: Michael Cornale, John Vitzthum, Richard Kiefer, Howard Zimmerman and Joan Huisman.

Member Absent: Gibs Nielsen.

Acting Chair:

With the absence of Chairman Nielsen, Howard Zimmerman moved, seconded by Joan Huisman, that Michael Cornale be appointed as the acting chairman of the Livingston County Zoning Board of Appeals for this meeting. Motions were closed, and Mr. Cornale was approved as the acting chairman for this meeting by a unanimous voice vote.

Agenda:

Acting Chair Cornale mentioned the agenda. Then John Vitzthum moved, seconded by Howard Zimmerman, that the agenda for this meeting be approved as presented. This motion was approved by unanimous voice vote.

Minutes:

Acting Chair Cornale mentioned the minutes from the last meeting. Then Joan Huisman moved, seconded by John Vitzthum, that the minutes of the December 10, 2015 meeting be approved as presented. This motion was approved by a unanimous voice vote.

Business:

Case V-1-16 – Keith Goembel & Sarah Beal

This zoning request pertains to review a request for a variation in lot frontage requirements to allow for a lot to have a lot width of 33.19 feet instead of 150 feet, in an AG, Agricultural, District. The subject property in this zoning case is an irregularly shaped 3.5 acre parcel of land generally located in the Southeast Quarter of the Southeast Quarter of Section 33 of Indian Grove Township, at 20935 E – 300 North Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Keith Goembel and Sarah Beal, 20935 East – 300 North Rd. Fairbury, presented testimony relative to this zoning case. Keith Goembel related that the only lot frontage that they want is the lane area that leads to their house.

The zoning board confirmed with Keith Goembel that he just wants to use the existing lane that has been in place for a long time. Mr. Goembel the confirmed that this lane is wide enough to serve his purposes.

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

No closing statements were made

Joan Huisman moved, seconded by Richard Kiefer, that the Livingston County Zoning Case V-1-16 be approved to allow for a variation in the lot frontage lot dimension requirements to allow for the subject property in this zoning case to have a lot to have a width of 33.19 feet instead of 150 feet in an AG, Agriculture, District.

This motion was approved by a roll call vote.

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

Case SU-15-99 – Review – Livingston County Humane Society

This zoning request pertains to review a request for a special use to allow for the continued location of an animal shelter/kennel facility, in an AG, Agriculture, District. The subject property in this zoning case is an irregularly shaped 5 acres parcel of land generally located in the West Half of the Southeast Quarter of Section 32 of Esmen Township, at 21179 N – 1358 East Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Karen Gregory, 750 N. Main St. Pontiac, IL, cofounder of the Livingston County Humane Society presented testimony relative to this zoning case. Karen Gregory related that their organization is now 17 years old which is fascinating, with credit to the support from the community. Mrs. Gregory then remarked that they have worked with City of Pontiac officials to use their arena as a disaster area. Karen Gregory then commented that they run on seven furnaces and five air conditioners. Mrs. Gregory then explained about how they have brought animal control into their facility, saving the taxpayers some money. Mrs. Gregory related that they do not take pit bulls, but work to find rescues for pit bulls.

The zoning board members then inquired about the number of animals that are kept at this shelter/kennel. Mrs. Gregory replied that they average 50 dogs and 100 cats. Mrs. Gregory then commented about operation safe. They are working to progress on a pit bull issue in the county. Back to animal numbers, they are down to 40 cats, but they are now full in animal control. They adopted out 38 dogs in December.

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

In her closing statement Mrs. Gregory thanked the zoning board of appeals.

Joan Huisman moved, seconded by John Vitzthum, that the Livingston County Zoning Case SU-15-00 - Review be approved allowing for the continuation of an animal shelter/kennel, on the subject property in an AG, Agricultural, District, with this zoning case to be reviewed again in 6 years, unless otherwise determined by the Livingston County Zoning Administrator.

This motion was approved by a roll call vote.

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

Case SU-23-99 – Review – Henrichs

This zoning request pertains to review a request for a special use to allow for the continued use of a service occupation (craft & service occupation) for an insurance business, in an AG, Agriculture, District. The subject property in this zoning case is a designated five acre parcel of land in the North Half of Section 30 of Sullivan Township, at 30700 E – 1700 North Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case, including draft conditions that could be placed on the approval of this special use,

Luke Henrichs, 31603 E – 1900 North Rd., Cullom, IL, presented testimony relative to this zoning case. Luke Henrichs remarked that there are no changes to their structure. However, they are down to two full time employees. Luke Henrichs that they would like to leave the employee requirement at 4 full time employees. Mr. Henrichs then confirmed that they closed the Pontiac office, but they did not need to add any of those employees to the subject headquarters building. Mr. Henrichs explained that they no longer operate Henrichs Grain, so they no longer have the 2 grain business employees in the subject building.

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

No closing statements were made

Joan Huisman moved, seconded by Howard Zimmerman, that the Livingston County Zoning Case SU-23-99 – Review be approved to allow for the continued operation of the existing special use of a service occupation (craft & service occupation) for an insurance business in an AG, Agriculture, District, with the same conditions that were previously approved for this zoning case, with this zoning case to be reviewed again in five years, unless otherwise determined by the Livingston County Zoning Administrator.

This motion was approved by a roll call vote.

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

Case SU-1-13 – Review – Prairie Central Sportsmen's Club

This zoning request pertains to review a request for a special use to allow for the continued use of the subject property as a shooting range (outdoor)/private club, in an AG, Agriculture, District. The subject property in this zoning case is a parcel of land located in the Southwest Quarter of Section 4 of Chatsworth Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case, including draft conditions that could be placed on the approval of this special use.

Tal Parmenter, 525 South 4th. St., Fairbury, IL, presented testimony relative to this zoning case, as a representative of the Prairie Central Sportsmen's Club. Mr. Parmenter related that they are proceeding with their multi-year development plan. Mr. Parmenter explained that they are actively operating and they continue to develop their shooting berms. Mr. Parmenter remarked that they have built a new clubhouse and that they have all weather parking. Mr. Parmenter commented that they have gated access controlling access to the property. Mr. Parmenter then commented about ongoing activities taking place on the property, including New Year's Day shoot, a Prairie Central School Students outing for gun safety training. Mr. Parmenter note they have an ongoing trap shooting program. Mr. Parmenter showed photos of some of the club activities to the zoning board members, with these photos in part depicting a zombie shoot, a youth shoot and their new clubhouse. They are active and moving forward. Questions noted a need to provide a current certificate of insurance. The by-laws and officers remain the same. They continue in keeping in touch with the adjoining farmers. New plans include developing their 100 yard range, and improving their existing mainly shell of a clubhouse. They do have concealed carry and IDNR gun safety courses.

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

In his closing statement Mr. Parmenter thanked the zoning board of appeals in dealing with them and their shooting sports.

Joan Huisman moved, seconded by Howard Zimmerman, that the Livingston County Zoning Case SU-1-13 - Review be approved to allow for the continued development and operation of a shooting range (outdoor)/Private Club, in an AG, Agriculture, District, with the existing list of conditions, with the extra note to allow 5 shoots a year between May and October to last until 10 pm, with this zoning case to be reviewed again in two years and that they need to provide and updated bylaws or range rules, unless circumstances dictate a need to review this matter in less than two years.

A discussion took place on extending the night time time limit for trap shoots up to 10 pm. The reason of this site being close to Chatsworth was discussed for the existing time limit. They generally have about 5 such events a year. And the motion is a good compromise; though the number of nights was discussed, with possible more nights. A future review may allow for this to be looked at again.

Joan Huisman's motion was approved by a roll call vote.

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

Case SU-12-07 – Review – Crossroad Crating & Pallet, Inc.

This zoning request pertains to review a request for a special use to allow for the continued use of a crating and pallet business, as a contractor's storage yard and machine shop on the subject property in an AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 3.43 acres in size in the Southwest corner of the Southeast Quarter of Section 10 of Forrest Township. The zoning administrator referenced his report, exhibits and other information relative to this zoning case.

No one was present at this meeting to provide testimony relative to this zoning case.

However, copies of a note from Mark Haab, President of Crossroad Crating & Pallet, Inc. were presented to the zoning board of appeals members. The zoning administrator read the note, which relates to the status of this business, for the record.

The zoning board of appeals members discussed their past history of requiring a representative of a zoning case to be present for them to take action on a matter.

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

Joan Huisman moved, seconded by John Vitzthum, that the Livingston County Zoning Case SU-12-07 - Review be tabled until the next appropriate meeting at which a representative of this zoning case can be present to discuss this zoning case with the zoning board of appeals.

This motion was approved by a roll call vote.

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

Case SU-5-06 – Review – Lanz

This zoning request pertains to review a request for a special use to allow for the continued use of an office and contractor's storage yard in an AG, Agriculture, District. The subject property in this zoning case is an irregularly shaped parcel of land generally located in the Northeast corner of the Northeast Quarter of Section 7 of Fayette Township. The zoning administrator referenced his report, exhibits and other information relative to this zoning case, including draft conditions that could be placed on the approval of this special use,

No one was present at this meeting to provide testimony relative to this zoning case.

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

Joan Huisman moved, seconded by Richard Kiefer, that the Livingston County Zoning Case SU-5-06 - Review be tabled until the next appropriate meeting at which a representative of this zoning case can be present to discuss this zoning case with the zoning board of appeals.

This motion was approved by a roll call vote.

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

Case SU-20-00 – Review – Patrick Harms

This zoning request pertains to review a special use request to allow for the continued location of a hunting club in an AG/FP, Agriculture/Flood Plain, District. The subject properties in this zoning case are tracts of land located in Sections 12 and 13 of Pleasant Ridge Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case, including web site information on Rooster Heaven Hunt Club.

Patrick Harms, 26596 E – 1000 North Rd., Forrest, IL, presented testimony relative to this zoning case. Mr. Harms related that not much has changed; they do have one full time employee and two part time employees, along with some of his farm workers assisting along with some high school kids assisting on busy seasonal weekends. They are just trying to stay afloat right now.

The zoning board members inquired as to if the lodge is working out well. Mr. Harms responded that it is a nice meeting spot. The overnight lodging is used generally about 8 weekends including during deer season weekends. They do not generally provide food; it is not a bed and breakfast. Mr. Harms mentioned that the farm bureau and soil and water have used their facility for meetings, along with farmer related meetings. Mr. Harms confirmed that the existing special conditions still work for him, including the 600 foot setback distance from the Ball property. This Ball property setback distance is now better defined in that now farm it making it better to define the area. Condition # 2 on alcohol is still okay in that guns and drinking do not mix. A certificate of insurance was provided to the zoning administrator.

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

No closing statements were made

Joan Huisman moved, seconded by Howard Zimmerman, that the Livingston County Zoning Case SU-2-00 - Review be approved to allow for the continuation of this special use as a meeting place for hunters and a private hunting club on the subject property, with the conditions previously put on the approval of this zoning case, with this zoning case to be reviewed again in five years, unless circumstances dictate a need to review this case sooner.

This motion was approved by a roll call vote.

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

Findings of Fact and Decision:

After reviewing the draft details of the Finding of Fact and Decision, John Vitzthum moved, seconded by Howard Zimmerman, that the Findings of Fact and Decision for this January 7, 2016 meeting be approved as presented. This motion was approved by a unanimous voice vote.

Public Comments: None

General Discussion and Informational Update:

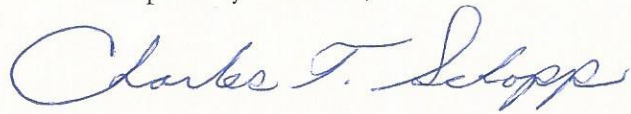
The Board was informed that their next scheduled meeting is to be held February 4, 2016 at 7:00 p.m., though no cases have been filed to be reviewed at this meeting.

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

This meeting was adjourned at 8:05 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