

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

Regular Meeting  
7:00 p.m.

February 8, 2018

The meeting came to order and roll call was taken.

Members Present: Michael Cornale, James Blackard, Gerald Earing and Joan Huisman.

Members Absent: Richard Kiefer, Richard Runyon and William Flott

Agenda:

Chair Huisman noted the agenda for this meeting. Michael Cornale moved, seconded by Gerald Earing, that the agenda for this February 8, 2018 meeting be approved as presented. This motion was approved by a unanimous vote.

Approval of the Minutes:

Chair Huisman commented about the minutes from the January 4, 2017 meeting, noting that the meeting date for the next meeting on the bottom of page 2 should have read February 8, 2018. Time was taken to review the minutes, and Chair Huisman asked for comments. Then Michael Cornale moved, seconded James Blackard, that these minutes be approved, as amended as noted by the Chair. This motion was approved by a unanimous voice vote

Business:

Case V-4-02 – Review – Moritz –

This zoning request pertains to review of a request for the approval of an annual renewal of a variance to allow for the temporary occupancy of a mobile home/manufactured home on the same property as an existing residence, in an AG, Agricultural, District. The property in question in this zoning case is a parcel of land located in Section 3 of Reading Township, at 3474 e – 3300 North Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. It was established that the situation remains outwardly the same.

Jerry Moritz, 3474 E – 3300 north Rd., Streator, IL. representing the applicant presented testimony relative to this zoning case. Mr. Moritz commented that the same person continued to occupy the manufactured home in question and he has been there for a long time. The manufactured home occupant continues to assist with the farm work, along with working at signs and designs.

The zoning board inquired as to if the mobile home had been recently updated. Mr. Moritz responded that no recent work had been done on this mobile home. Mr. Moritz noted that it was updated with siding etc. several years ago. Mr. Moritz related that with the mobile home being located behind the machine shed, it can hardly be seen.

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

Mr. Moritz had not closing statement.

Michael Cornale moved, seconded by James Blackard, that Livingston County Zoning Case V-4-02 – renewal be approved to allow for a variance in the property development requirements to allow for the continued temporary occupancy of a mobile home/manufactured home on the same property as an existing residence, in and AG, Agriculture, District.

This motion was then approved by a roll call vote.

Cornale -	Yes	Blackard -	Yes
Kiefer -	Absent (did not vote)	Runyon -	Absent (did not vote)
Flott -	Absent (did not vote)	Earing -	Yes
Huisman -	Yes		

#### Case SU-2-15 – Review – Pflibsen

This zoning case pertains to a review of a special use that allows for a shooting range (indoors), and a rental services business as part of property development in a C1, Local Business, District. The subject report in this zoning case is Lots 9, 10, 11, and 12 of Block 13, Village of Vermillion in Section 2 of Reading Township, in unincorporated South Streator at 104 E. Livingston Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case, including copies of minutes from past meetings at which this request was reviewed and initially approved. A copy of these minutes includes a list of the conditions placed on the initial approval of this zoning case. Copies of photos of the current status of this project were provided to the zoning board of appeals members. These photos reflect a second story being constructed on the building, which had not previously been discussed with the zoning board of appeals.

Brian Pflibsen, 839 State Route 18 East, Streator, IL, the applicant and property owner regarding this zoning case, provided testimony relative to this zoning case. Mr. Pflibsen related that they are working on getting the building closed in at this time, the concrete deck has been poured over the shooting range and they are working on the roof of the second elevation. Mr. Pflibsen remarked that this second elevation was not on the original permit drawings, of which Mr. Pflibsen is calling this second elevation area a VIP Room. Mr. Pflibsen indicated that this room may be used for parties or rental for meetings, as it is about 1000 square feet of additional building area that is being added above the archery range. Mr. Pflibsen said they are also working in the basement in the previously proposed classroom area.

Mr. Pflibsen then commented that the grading work is done on the parking lot to be located between the Dollar General Store and his business. The photo that the zoning board of appeals was looking at was shown to Mr. Pflibsen and he explained the alignment building on the property. Mr. Pflibsen was asked if he planned on having an elevator to the second floor, in that an elevator may be needed to make the building ADA compliant. Mr. Pflibsen said that he is considering a chair lift to make the building ADA compliant. The zoning board inquired as to if a building permit had been issued for this second floor addition, of which Mr. Pflibsen did not request anything changed from the original building. A second permit would be needed for the addition, but Mr. Pflibsen should check on ADA requirements first. Mr. Pflibsen was then asked about the number of parking spaces he would have in his planned parking area. Mr. Pflibsen said that he planned on having 20 spaces, with follow up questions if that would be enough room to accommodate the VIP room. Food service was then asked about, along with fire codes being asked about. Mr. Pflibsen needs to talk about that also. The zoning board asked that Mr. Pflibsen get some guidance on these issues. Discussions on food service then took place. Mr. Pflibsen mentioned that the VIP room food would be catered, but they do plan on putting a restaurant in the building also. Food service permits were then discussed. The previous plans for a snack bar and coffee shop were commented about, in relation to what is now being proposed as a restaurant. Discussion on the restaurant then took place. Mr. Pflibsen said he planned on having four or five booths and some tables. The zoning board then questioned as to where the rental store area was to be. Mr. Pflibsen said that the rental store would be on the north side of the building. Mr. Pflibsen was asked to draw a floor plan on the dry erase board, of which he did and he explained as he drew the plans. Previously discussed elevators were mentioned, of which Mr. Pflibsen discussed ramps and stairs. Mr. Pflibsen was told he should research a need for an elevator to be ADA compliant. ADA restrooms were then discussed. Mr. Pflibsen pointed out where the restrooms were proposed to be located. The committee chair noted that this is up for review with only the shooting range and the rental area. She would like to see the restaurant be approved, though it is an approved use, the chair would like to see that the application reflects everything that he is doing in that one building, so it is clear as to what is proposed. The chair prefers an application that reflects all that is planned for the building. Mr. Pflibsen remarked that the health department had contacted him on food service permits. Mr. Pflibsen commented that the food service plans are several months away. The health department is asking for information that he has not formalized. Mr. Pflibsen was informed it may be wise to plan on this area now as part of the construction project to plan on how it will all work. The zoning board wants to know what the application is for at this point, with a potential need for architectural drawings, as the plans evolves. Tabling the matter was then discussed. Mr. Pflibsen said he has not changed anything other than the VIP room. But the coffee shop has evolved into a restaurant. The zoning board just wants to be clear on what is being asked, and that all necessary departments are contacted like the county health department. The chair asked that the usage be detailed out in writing, with square footage for each use, hours of operation for each use, number of employees. Employee parking was then discussed and a need for potential need for more parking was discussed. Mr. Pflibsen said that he did not plan on selling any alcohol.

No other interested parties presented testimony

Mr. Pflibsen had no closing comments.

The motion was discussed. An amendment to the special use was discussed. With the burden of proof remaining to address the parking, the ADA, the bathrooms, traffic flow, environmental concerns. Can the restaurant be above the shooting range?

James Blackard moved, seconded by Michael Cornale, that Livingston Count Zoning case SU-2-15 - review be tabled, to allow for the zoning board of appeals to discuss any planned amendments to the original application before them. With this case tabled until when Mr. Pflibsen is ready to bring this case back before the zoning board for their further review.

This motion was then approved by a roll call vote.

Cornale -	Yes	Blackard -	Yes
Kiefer -	Absent (did not vote)	Runyon -	Absent (did not vote)
Flott -	Absent (did not vote)	Earing -	Yes
Huisman -	Yes		

#### Case SU-2-07 – Review-Windy City Pride

No representative of this zoning case was present for this zoning case review by the zoning board of appeals.

The zoning board of appeals would like for the applicant to be contacted again about this review, and that this zoning case be placed on the agenda for a meeting at which the applicant can attend a zoning board of appeals meeting.

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

This zoning request pertains to a review of 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.

Tal Parmenter, 525 South 4<sup>th</sup>. St., Fairbury, IL, presented testimony relative to this zoning case, as a representative of the Prairie Central Sportsmen’s Club. Mr. Parmenter commented that operating and proceeding according to their plan, and they plan to develop their programs. Mr. Parmenter related that their trap program has been very successful, and they are working on developing rifle and pistol programs. They continue their goal of developing a convenient and safe shooting facility for their area. Mr. Parmenter mentioned that they had done a number of safety programs and some presentations, as they move forward on the track they planned.

The zoning board inquired about updates from the last review. Mr. Parmenter said that some of the programs have grown, but physically little has changed except for improvements inside the building. They have plans to place covers over the rifle and pistol firing lines to protect those areas from weather. Funding continues to be an issue. No future buildings are being planned. Mr. Parmenter confirmed that they have a 100 yard range, with limits on the calibers that can be used. A future of the rifle range is planned to move the 100 yard range back to 200 yards, but they lack funding and resources at this time. The existing conditions were mentioned. Lead in the berms was then discussed. Nothing has to be done, as the range is managed as they have not issues with the ground ph. It may be mined many years down the road, when it would be feasible. Mr. Parmenter thanked the zoning board.

No other interested parties presented testimony

Mr. Parmenter had no closing comments.

Gerald Earing moved, seconded by James Blackard, that 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 all of the conditions that had been previously placed on the approval of this zoning case, with this zoning case to be reviewed again in 3 years, unless otherwise determined by the county zoning administrator.

This motion was then approved by a roll call vote.

Cornale -	Yes	Blackard -	Yes
Kiefer -	Absent (did not vote)	Runyon -	Absent (did not vote)
Flott -	Absent (did not vote)	Earing -	Yes
Huisman -	Yes		

Case V-1-18 – Slagel

This review pertains to a request for a variation in zoning regulations requirements to allow for the exchange of land between adjoining parcels of land, with a need for a variance on one of the proposed parcels that would leave a parcel of land with no frontage along a public road, so a variation in the lot dimension requirement for a lot to have 0 feet instead of 150 of frontage along a public road. The property in question is to be a 78.64 acre parcel of land in the Southeast Quarter of Section 23 of Avoca Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Louis John Slagel, 23601 E – 600 North Rd., Fairbury, IL the applicant in this zoning case presented testimony relative to this zoning case. Mr. Slagel explained that the property was sold at auction this past summer with several different tracts, and what he ended up doing was the timber tract is random formed. Mr. Slagel then referred to the last page showing the property. Mr. Slagel noted the location of the existing gravel lane on which is part of an easement to access the property.

The previous owners had always used this easement to access their timber property. Mr. Slagel then remarked about the 150 foot strip of farm ground put in to access the timber sits between the land owner to the south and who bought a tract at the farm auction. This landowner would like to purchase the 150 foot strip of land to adjoin his properties. Mr. Slagel believes it is appropriate to sell this tillable acreage within the 150 foot easement to the adjoining property owner since they plan on using the existing easement to access their property.

The zoning board then confirmed that Mr. Slagel would own the property needing to be accessed by the easement. The location of the township roads and the lane with easements were confirmed. Mr. Slagel said that that to square things up they are planning to sell a total of 10 acres the strip and part of the CREP ground, all going to the adjoining the property owner. Mr. Slagel mentioned that tract 1 from the auction is the larger tract of land to the north. Mr. Slagel confirmed that he plans on using the timber for recreational use, which it is too low to build upon. He is been told that there is no buildable land on this timber land, with it being in a flood prone area. The easement was discussed, including the maintenance of the easement. Mr. Slagel noted that it was maintained by the previous land owner, and that he plans on maintaining along with the tract 1 property owner. Mr. Slagel said he is trying to make his neighbors happy.

No other interested parties presented testimony

Mr. Slagel had no closing comments.

Gerald Earing moved, seconded by James Blackard, that Case V-1-18 be approved allowing for the requested variation in zoning regulation requirements to allow for the re-division of a tract of land, with a need for a variance on one of the proposed parcels that would reduce the frontage along a public road, with a variation of 0 feet instead of 150 feet along a public road.

This motion was then approved by a roll call vote.

Cornale -	Yes	Blackard -	Yes
Kiefer -	Absent (did not vote)	Runyon -	Absent (did not vote)
Flott -	Absent (did not vote)	Earing -	Yes
Huisman -	Yes		

#### Case SU-1-18 Rink's Detailing

This pertains to a review of a request of a special use permit for a proposed craft and service occupations, in an AG, Agriculture, District. The subject property in this zoning case is a 3.46 acre tract of land, located in the Southeast Corner of the Northeast Quarter of Section 16 of Pleasant Ridge Township, at 12571 N – 2700 East Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. Potential conditions on an approval of this zoning case were discussed with the zoning board of appeals members.

These potential conditions included that this special use be limited to the request as outlined in the application and to the explanation that the applicant gives at this public hearing, that the operation of the business be limited to the applicant (unless otherwise approved by the zoning board of appeals), that the signage for this business be limited to the existing signage for the time being, that the number of employees for this business be limited to --- (with the zoning board of appeals having the authority to approve additional employees), and that this zoning case be reviewed in one year, unless otherwise determined by the county zoning administrator.

Jason Rinkenberger, 12571 N – 2700 East Rd, Forrest, representing the applicant, presented testimony relative to this zoning case. Mr. Rinkenberger related that he would like to do detailing for vehicles, tractor semis and semis for detailing, just basic detailing work. Mr. Rinkenberger then commented that since they have room on the property they may want to have a car show on the property during the summer, to bring awareness to vehicles. In regards to repurposing wood, Mr. Rinkenberger explained that they would like to add a building behind the barn, for his family to store wood from cribs his family tears down. Mr. Rinkenberger discussed signage, and his eventual plans for a digital sign, so that he can show pictures of specials on his detailing or selling hitches. Mr. Rinkenberger then commented on how he and his mom make kettle corn for surrounding events and food pantries, which in the future may evolve in them putting a building on the property for this business aspect.

The zoning board of appeals asked that Mr. Rinkenberger explain his detailing operations. Mr. Rinkenberger described how he can use the steam method of cleaning prior to applying the detailing products, or they can wash them off using soap. Mr. Rinkenberger explained that they do not do much cleaning with water, because of the old drain in the barn that they use, then may put a new dedicated wash building next year, of which he is aware would need a dedicated septic field and a separator. He further commented that the kettle corn operation may also use this proposed septic field. The zoning board inquired about the hitch sales. Mr. Rinkenberger said that he created an office showroom of which the hitches are displayed. And, that while they can do installation, most people prefer to install their own hitches. ADA requirements for any new construction were mentioned. Mr. Rinkenberger did reply that they had started the business, and he described basic plans for the building area that may be used to store the used lumber. Mr. Rinkenberger then discussed with zoning board about the permitting of the new additions, of which new building permits would be needed. In discussing the number of employees, Mr. Rinkenberger does not foresee needing more than five employees. Currently only him and family members (when available) work at the business. Mr. Rinkenberger said that there is little noise related to the business. In regard to vehicles sitting on the property for long periods of time, Mr. Rinkenberger likes to keep them inside as much as possible to make it look as nice as possible. His typical operating hours are 7 to 5 and Saturday by appointment. Mr. Rinkenberger noted that with detailing you keep doors closed, so the road noise would be greater than his business noise.

Richard Miller, 12526 N – 2700 East Rd., Forrest, and area property owner, asked about keeping the waste water under control. Mr. Rinckenberger noted that for the wash bay, they would need a new septic permit. They can use steam now if necessary, as they do in California. Septic issues would need to be approved by the Livingston County Public Health Department. Mr. Miller is okay with the project as long it meets EPA standards regarding the disposal of waste water and chemicals. Mr. Rinckenberger agreed to consult with the Livingston County Public Health Department about drainage issues. The unknown drainage from the barn drain was discussed. Mr. Rinckenberger said that he uses all biodegradable products. The zoning board mentioned adding a condition that only biodegradable products be used at this business.

No other interested parties presented testimony

Mr. Rinckenberger, in his closing comments, thanked the zoning board of appeals members for their time.

The zoning board discussed potential conditions, including the use of environmental products, the number of employees, and hours of operation. A condition on the products to be used will be added to be part of the motion, the number of employees will be limited to five for now, but can increase at a future board review, and no hours of operation will be placed on the business for now, but can be reviewed in the future.

Gerald Earing moved, seconded by James Blackard, that Livingston County Zoning Case SU-1-18, be approved, to allow for a special use permit allowing for craft and service occupations, including vehicle detailing, hitch dealer, auto shows(2 per year), a future building with a kitchen and restroom in which kettle corn will be cooked, and a re-purposed wood business to be location the property described in an AG, Agriculture, District, with the following conditions;

1. That this special use be limited to the request as outlined in the application and to the explanation that the applicant gives at this public hearing for this request for a special use;
2. That the ownership of this special use be limited to the applicant and immediate family members of the applicant, unless otherwise approved by the zoning board of appeals;
3. That the number of employees for this business be limited to five, with the zoning board of appeals having the authority to approve additional employees;
4. That the signage for this business be limited to the existing signage;
5. That this zoning case be reviewed by the Livingston County Zoning Board of Appeals in one year, to review the status of the start-up of this special use, unless otherwise determined by the county zoning administrator.
6. That environmentally safe and biodegradable products be used by these proposed businesses.



This motion was then approved by a roll call vote.

Cornale -	Yes	Blackard -	Yes
Kiefer -	Absent (did not vote)	Runyon -	Absent (did not vote)
Flott -	Absent (did not vote)	Earing -	Yes
Huisman -	Yes		

Other Business: None

Approval of the Findings of Fact and Decision:

Gerald Earing moved, seconded by James Blackard, that the finding of fact and decision for this February 8, 2018 meeting be approved as drafted and discussed during this hearing. This motion was approved by a unanimous voice vote.

Public Comments: None

Report of Officers: None

General Discussion and Informational Update:

The zoning board of appeals was informed that their next meeting is to be held on March 12, 2018 at 7 pm. Solar Farm special use applications may be discussed at that meeting.

Then Michael Cornale moved, seconded by Gerald Earing, that this meeting be adjourned. This motion was approved unanimously.

This regular meeting portion of this hearing was adjourned at 8:45 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 Regional  
Planning Commission