

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

Regular Meeting
7:00 p.m.

January 10, 2019

The meeting came to order and roll call was taken.

Members Present: William Flott, Marty Fannin, Neil Turner and Joan Huisman.

Members Absent: Richard Kiefer, Richard Runyon and Cheryl Tate.

New Members Marty Fannin and Neil Turner were welcomed.

Agenda:

Chair Huisman noted the agenda for this meeting. Marty Fannin moved, seconded by William Flott, that the agenda for this January 10, 2019 meeting be approved as presented. This motion was approved by a unanimous vote.

Approval of the Minutes: None

Business:

Case SU-1-02 Review - Piece of Cake Agility Obedience Dog Club

This zoning request pertains to review of a request for a special use that allows for dog club show events and the training of dogs on the subject property in an AG, Agriculture, District. The property in question in this zoning case is located in Sections 7 & 18 of Newtown Township, at 31091 N – 700 East Rd. The zoning administrator presented his report, exhibits and other information relative to the review of this zoning case.

John and Joan Marec, 31091 N – 700 East Rd., Cornell, IL., the property owners and representatives of the applicant pertaining to this zoning case, presented testimony relative to this zoning case. Mr. Marec related that they still do dog obedience training in small numbers of five to six people on what he refers to as their farmland. This training is generally done in the summer. Mr. Marec then commented about dog agility, and he provided pictures of dog agility training. Mr. Marec then remarked about dog agility trials. Mr. Marec then provided a schedule of events for dog agility trials that they plan on doing this year, with two of these events planned for Livingston County. Mr. Marec noted that their farm is totally fenced in, and then in their activity rings are also fenced in to help control where the dogs can go. Mr. Marec related that they started on this property in 2002, and they had more events when they first started. Mr. Marec reiterated that they plan on just two events in Livingston County this year, with the other events in places they rent in Peoria, for events in colder weather or when they want to use the padded surface in the inside the Peoria building. Their activity level is going down. Mr. Marec asked that they special use permit be extended so that they can continue to do this for several more years, even though they are getting older.

The zoning board inquired about the training and the number of events. Mr. Marec replied that they are to have just the two events on this property this year, and they will continue their training during the summer time.

The overnight camping that they allow on their property during events was talked about. Joan Marec reasoned that they have about half the number of participants in comparison to when they first started. The Marec's indicated that they still do some judging. The events run from 8 am to about 4 pm. Their neighbors are always invited to watch, along with anyone else that wants to watch, as they have adequate parking. The Marec's answered that they do not plan on doing anything different than what they originally proposed, as they are phasing out.

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

Mr. Marec in his closing comments, mentioned that they have been doing this for several years, and they enjoy the people that come from all over the country, as they are listed on a national events calendar.

William Flott moved, seconded by Marty Fannin, that Livingston County Zoning Case SU-1-02 – Review be approved allowing for the continuation of a special use permit for dog show events and for the training of dogs and their owners, with this zoning case to be reviewed again in five years unless otherwise determined by the zoning administrator.

This motion was then approved by a roll call vote.

Kiefer –	Absent(Did not Vote)	Runyon –	Absent(Did not Vote)
Flott –	Yes	Fannin –	Yes
Tate-	Absent(Did not Vote)	Turner –	Yes
Huisman -	Yes		

Case SU-7-06 – Review – Vactor Manufacturing

This zoning case pertains to a review of 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 equipment, in and 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, including draft conditions.

Dan Simpson, representing Vactor manufacturing, as their facility’s manager, the applicant in this zoning case, presented testimony relative to this zoning case. Mr. Simpson related that Vactor’s main facility is on Illinois St., in South Streator. Mr. Simpson then explained that their Coalville Rd. is referenced as their service center where they work on used trucks along with other work including building some units. Mr. Simpson related that 6 employees currently work at this facility, and they have not heard of any complaints about this facility. Mr. Simpson then explained that Vactor manufactures sewer sucker trucks. They build 4 different models, of which he commented about. Mr. Simpson commented that the main facility employs about 600 people now, being the largest employer in Streator.

The zoning board members inquired about the service center in question, and Mr. Simpson explained as to what service is done at this service center. Mr. Simpson answered that most of the service center work takes place inside. Mr. Simpson did acknowledge the some trucks sit outside along with some cargo containers and parts. Mr. Simpson explained the layout of the subject building, and about how engineers were once located in this building. Mr. Simpson replied that they work on about 8 units a month at this service center.

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

In his closing statement Mr. Simpson expressed his appreciation for allowing for this special use and they would like to continue to use it.

Marty Fannin moved, seconded by William Flott , that Livingston County Zoning Case SU-7-06-Review be approved 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 determine by the Livingston County Zoning Administrator.

This motion was then approved by a roll call vote.

Kiefer – Absent(Did not Vote)
Flott – Yes
Tate- Absent(Did not Vote)
Huisman - Yes

Runyon – Absent(Did not Vote)
Fannin – Yes
Turner – Yes

Mr. Flott commented that he had toured the plant in the past and how he is pleased that they are located in Livingston County.

Case SU-8-13- Review – SNS Casting

This zoning case pertains to a review of a request for a special use, which allow for a machine shop, for a projectile casting business, in an AG, Agriculture, District. The subject property in this zoning case is a 2.68 acre parcel of land located in the Northeast Quarter of Section 12 of Nebraska Township, at 5458 E – 2000 N. Rd., Flanagan, IL. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

James Stinar, 5458 E – 2000 North Rd., Flanagan, IL., the property owner and applicant representative in this zoning case, presented testimony relative to this zoning case. And Ryan Stinar 310 E. Ririe Place, Flanagan, also presented testimony relative to this zoning case, as a representative of the applicant. James Stinar related that they continue to make lots of bullets. James Stinar then discussed transportation or trucking matters related to his business. James Stinar commented that he gets a lot of his products, such as lead in before the roads are posted so that keeps them going. James Stinar then explained that if he needs more products Graymont cooperates by allow the large loads to be dropped off there, with SNS transporting those materials from Graymont to their business in smaller legal loads. James Stinar then remarked that they send out 95 % of their products out by mail. Ryan Stinar explained that they have a semi-circle drive that allows semis from some of their customers to come and pick up their orders. The products are shipped out in flat rate boxes, if it fits it ships, with the average shipping box weighing 68 pounds. The postal service has their box truck come to their business every day and they load their pallet of boxes to be shipped. James Stinar said that they have seven employees, 6 full time and one part time. James Stinar then related that he thinks this will be his last zoning review meeting as he plans to retire in 1.5 years.

No building expansion is planned at this time.

They can increase their output by splitting their shifts. They mainly work 7 am to 3 pm. The conditions on the approval of this zoning case were then discussed, with James Stinar indicating they are in compliance with those conditions. James Stinar hopes to have the review of this zoning case extended to five years. The condition relating to ownership was then discussed, with a need to change upon his retirement. The employee numbers were then discussed. If they would increase their orders, they may need extra employees. Their existing hours are 6 am to 8 pm. The ownership will transfer on June 14, 2020. The employee numbers were then discussed further. If they get a pending Cabela's/Bass Pro order they would need to change their operating hours and employee numbers. They could have 10 employees if that order comes through. Their federal reporting requirements were then discussed. It was confirmed that Ryan Stinar would become owner on June 14, 2020, to allow for that condition of approval to be amended to reflect that change. Upping the employees to 10 was then commented about, along with adding an afternoon shift if need be. The hours of 6am to 11 pm were discussed. Their closest neighbor has not issues, and with their operating building closed you cannot hear noise outside of the building. Ryan Stinar noted they like to be flexible with their shifts so if someone wants to come in at 3 am they would be okay with that. They are open to being allowed to have flexible hours, 24 hours a day. They would continue to ship from 7am to 3 pm. The business ownership change was further discussed with the pending retirement of James Stinar. James Stinar then commented about his thoughts on how their business will increase, and they already ship everywhere. James Stinar then invited the zoning board members out to look at their operation. They have no lead health issues, since it is not boiled.

The conditions consensus was discussed, the next review was discussed to be in 3 years, with the zoning administrator reserving an option to have this zoning case reviewed earlier, the ownership will change on June 14, 2020 from James Stinar to Ryan Stinar unless the zoning administrator is otherwise notified, the employee numbers will be changed from 7 to 10 and the hours will be changed to allow 24 hour a day operations.

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

In his closing comments James Stinar

William Flott moved, seconded by Neil Turner, that Livingston County Zoning Case SU-8-13 be approved, to allow for the continued operation of a machine shop for SNS Casting on the subject property with the conditions and condition amendments just discussed.

This motion was approved by roll call vote.

Kiefer – Absent(Did not Vote)	Runyon – Absent(Did not Vote)
Flott – Yes	Fannin – Yes
Tate- Absent(Did not Vote)	Turner – Yes
Huisman - Yes	

Case SU-11-01 – Review – D & M Products

This zoning case pertains to a review of a request for a special use permit for a special use permit to allow for an agriculture product manufacturing business in an AG, Agriculture, District.

The property in question in this zoning case is a parcel of land located in Section 4 of Fayette Township. The zoning administrator presented his report, exhibits and other information pertaining to this special use request.

Mark Slagel, 2911 N – 2700 East Rd., Forrest, IL., representing the applicant in this zoning case, presented testimony relative to this zoning case. Mr. Slagel explained that they now go by Slagel Manufacturing, for their company name. Mr. Slagel related that they have added onto their building seven times, they currently have around 45 employees, and they run two shifts. One shift is from 7 am to 4 pm and the second shift is from 4 pm to 2 am. They can work almost 24 hours. They generally do contract manufacturing of metal goods, and Mr. Slagel explained the factory machinery that they use. Mr. Slagel then commented about how they also have their own agricultural product line. Mr. Slagel used a drawing in the zoning administrators report to relate as to what their building foot print is now on the subject property. The company's employee plans were then discussed, but they are reluctant to go above the 50 employee range. If they start doing their own painting, they would need to add about 6 employees. The five year review period was discussed. Mr. Slagel stated that they generally hire through a temp service. Mr. Slagel then indicated that they may increase their employees up to 60.

No other interested parties presented testimony.

Mr. Slagel had no closing statement.

Marty Fannin moved, seconded by Neil Turner, that Livingston County Zoning Case SU-11-01 – Review be approved allowing for the continuation of an agriculture product manufacturing business on the subject property in an AG, Agriculture, District, with a change in to allow for a change in the number of employees, to allow for up to 60 employees, with the next review of this zoning case to take place in five years unless otherwise determined by the Livingston County Zoning Administrator.

This motion was approved by roll call vote.

Kiefer – Absent(Did not Vote)
Flott – Yes
Tate- Absent(Did not Vote)
Huisman - Yes

Runyon – Absent(Did not Vote)
Fannin – Yes
Turner – Yes

Case SU-2-15 – Review - Pflibsen

A representative of this zoning case was not present. The zoning board of appeals wants the applicant in this zoning case to be persuaded to attend their next meeting.

Case ZT-1-18 – Livingston County Regional Planning Commission

This zoning case pertains to a proposal to amend the text of the Livingston County Zoning Regulations to add Solar Farm to the list of special uses in Section 56-82, AG Agriculture District Special Uses and in Section 56-444, I2 General Industrial District Special Uses, Of the Livingston County Code of Ordinances, Part II, Chapter 56, Zoning.

The zoning administrator presented his report relating that the intent of this zoning case is to clarify and to specify the areas intended to be considered as potential districts for solar farm special uses.

Accessory use solar energy was then discussed. The zoning board was informed that the Livingston County Regional Planning Commission had reviewed this zoning case one more time and they recommend that the fence be 7 feet tall and that it be specified that it should be a chain link fence. Regional planning commission member John Slagel was present at this meeting, and the discussed the reasoning for this recommendation. The different types of fencing were discussed, such as wildlife fence in relation to a chain link fence. The appearances of the different types of fences were discussed. The zoning administrator related that this will not be the final meeting on this zoning case, that he is just seeking a decision on how to word the proposed amendment for publication for final review. The fencing types, such as wildlife fences were discussed in comparison to a more industrial chain link fence. The purpose of fencing was discussed. It was noted that cell phone towers are fenced in, and the electrical code requirements were discussed. Tonight's purpose was to verify the language of this text amendment. If the fence should be galvanized was then discussed. The zoning board agreed to have the height of the fence amended to 7 feet, and chain link be added to the proposed amended language. All of the proposed amended language was then reviewed. This zoning board will hold a public hearing on this next month at which time they can take action, and will then proceed to the county board committee.

Other Business: None

Approval of the Findings of Fact and Decision:

Marty Fannin moved, seconded by William Flott , that the findings of fact and decision for this January 19, 2019 meeting be approved as drafted for Livingston County Zoning Cases in which final action was taken at this meeting. This motion was approved by a unanimous voice vote.

Public Comments: None

Report of Officers: None

General Discussion and Informational Update:

The next meeting for the zoning board of appeals is scheduled for February 7, 2019, at 7:00 pm. A tentative meeting schedule had been provided to the zoning board members.

Then William Flott moved, seconded by Marty Fannin, that this meeting be adjourned. This motion was approved unanimously.

Jason Bunting introduced himself as the new Livingston County Board Agriculture, Zoning and Emergency Services Committee chairman.

The state solar farm lottery was discussed.

This meeting 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