

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

Regular Meeting
7:00 p.m.

July 7, 2016

The meeting came to order and roll call was taken.

Members Present: Michael Cornale, John Vitzthum, William Gerber, Connie Casey and Joan Huisman.

Members Absent: Richard Kiefer and Richard Runyon.

Agenda:

Recently appointed Zoning Board of Appeals Chair Joan Huisman mentioned the agenda. Then John Vitzthum moved, seconded by , that the agenda for this July 7, 2016 meeting be approved as presented. This motion was approved by unanimous voice vote.

Minutes:

Chair Joan Huisman mentioned the minutes from the last meeting. Then Richard Kiefer moved, seconded by John Vitzthum, that the minutes of the June 9, 2016 meeting be approved as presented. This motion was approved by a unanimous voice vote.

Business:

Cases V-6-16 - Redwood Mobile Home Park

This zoning request pertains to review a request for variations in zoning regulation requirements to allow for accessory utility buildings to be located one foot instead of ten feet from the front lot line, in a MH, Mobile Home, District. The subject property in this zoning case is a 23.08 acre mobile home park, located in unincorporated Pontiac, in Section 15 of Pontiac Township, at 15242 E – 1830 North Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Amanda Nicol, 513 W. Madison St., Pontiac, IL, manager of the Redwood Mobile Home Park, presented testimony relative to this zoning case. Amanda Nicol explained that their water meter and water main access pits are very outdated and they have not been updated in over thirty years. Amanda Nicol then commented that they had been notified by Illinois American Water that they are to update their water access system, to

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

Joan Huisman moved, seconded by John Vitzthum, that the Livingston County Zoning Case V-6-16 be .

This motion was then approved by a roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Runyon	- Absent (Did not Vote)

Gerber - Yes
Casey - Yes

Huisman - Yes

Case V--16 –

This zoning request pertains to review a request for a variation in in an AG, Agriculture, District. The subject property in this zoning case is acre parcel of land generally located in the Northwest Quarter of Section of Township. The zoning administrator referenced his report, exhibits and other information relative to this zoning case.

b, E – North Rd., Pontiac, IL., representing the applicant and the family ownership of the subject property provided testimony relative to this zoning case. commented that

The zoning board of appeals inquired

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

In his closing statement

moved, seconded by John Vitzthum, that the Livingston County Zoning Case V--16 be approved to allow for a variance in the

This motion was approved by a roll call vote.

Cornale - Yes

Vitzthum – Yes

Kiefer - Yes

Runyon - Absent (Did not vote)

Zimmerman - Absent (Did not vote)

Huisman - Yes

Nielsen - Absent (Did not vote)

Case ZT-2-16 – County Board of Livingston County

This zoning request pertains to a request pertaining to an application for a zoning text amendment to the Count Code of Ordinances, Livingston County, Illinois, Chapter 56 Zoning which will add regulations pertaining to Solar Farms. The zoning administrator reviewed a copy of the proposed Solar Farm text amendments with the zoning board of appeals members, along with some background information on solar farm locations in Champaign and in LaSalle County, solar farm regulations, and the reasoning for the current proposal.

The zoning board of appeals members were informed that the Livingston County Regional Planning Commission had reviewed this zoning case, and they recommend that the setback distance from residentially zoned lots and existing residential properties, on the bottom of page 1 #6 Setbacks of this proposed text amendment, be increased from 100 feet to 300 feet, with the potential to have this setback distance waived.

The planning commission reasoning for this suggested change is to allow for more of a buffer area between a solar farm and a residentially zoned or used property, and to allow more room for the placement of a screen or a fence that may be required by the discretion of the board.

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

No closing statements were made.

moved, seconded by William Gerber, that the Livingston County Zoning Board of Appeals table zoning case ZT-2-16

This motion was approved by a roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Runyon	- Absent (Did not Vote)
Gerber	- Yes	Huisman	- Yes
Casey	- Yes		

Case ZT-4-16

Pertains to a request by the County Board of Livingston County for a proposed text amendment for the purpose of amending Chapter 56, Zoning, Article VIII, ADMINISTRATION AND ENFORCEMENT, Sec. 56-940. Violation and Remedy (b), CODE OF ORDINANCES Livingston County, Illinois, to have such section to read as follows: (b) The violation of the terms of this chapter or any amendments thereto after taking of effect shall be deemed a misdemeanor, and shall be punishable by a fine not to exceed \$500, with each week the violation remains uncorrected constituting a separate offense. A report that presented the existing regulations language and the current state statutes relating to fines and violations was reviewed with the regional planning commission members. The intent of this proposed amendment is to have the Livingston County Zoning Regulations correspond with the state regulations. The planning commission members briefly discussed this proposal confirming the reasoning of this proposed text amendment.

Case ZT-3-16; Pertains to a request by the County Board of Livingston County regarding a review of a proposed zoning text amendment of the County Code of Ordinances, Livingston County, Illinois, Chapter 56, Zoning Article VIII, Wind Energy, Code of Ordinances, Livingston County Illinois. The planning commission members had been previously briefed on this proposed text amendment at their June 6, 2016 meeting, at which copies of reports pertaining to this text amendment were handed out to the planning commission members for their review for this meeting. It was explained to the planning commission members that this wind energy text amendment language, before them for their review, is compromise language that resulted from input from several interested parties over several months. This compromise language would allow for wind energy with more stringent regulations. Being compromise language, no one is entirely pleased with this proposal, as this proposal is one that attempts to take into account input from many.

A briefing on proposed amendments to the Livingston County Wind Energy Regulations was made to the Zoning Board of Appeals members. The Zoning Board of Appeals members were provided with copies of the proposed wind regulations text amendment(s), copies of the May 3 and May 10, 2016 Agriculture, Zoning and Emergency Services Committee meeting(s) minutes, at which the proposed recommended text amendments were discussed and finalized, and with copies of Pontiac Daily Leader articles in which the two

previously noted committee meetings and the May Livingston County Board meeting are the subject of these newspapers articles in which reference to the wind energy regulations text amendments is made.

This presentation at this evening meeting is informational/administrative only, with no comments to be made. It was expressed that a zoning case relating to these proposed amendments will be formally considered by the Zoning Board of Appeals members at their July 7, 2016 meeting. Additional meeting dates were discussed. The Zoning Board of Appeals members agreed to schedule an additional meeting on July 12, 2016, @ 7:00 pm. Additional meeting can be scheduled as needed in the future.

Other Business:

Findings of Fact and Decision:

After reviewing the draft details of the Finding of Fact and Decision, John Vitzthum moved, seconded by Joan Huisman, that the Findings of Fact and Decision for this July 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 Zoning Board of Appeals members were updated on the Pleasant Ridge legal complaint status.

The Board was informed that their next scheduled meeting is to be held July 7, 2016 at 7:00 p.m., though this meeting may be cancelled since no cases are pending for review at this meeting.

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

This meeting was adjourned at 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