

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

Regular Meeting
7:00 p.m.

September 19, 2019

The meeting came to order and roll call was taken.

Members Present: Richard Kiefer, Richard Runyon, William Flott, Joe Stock, Neil Turner and Joan Huisman.

Members Absent: None

Agenda:

Chair Huisman noted the agenda for this meeting. William Flott moved, seconded Richard Runyon, that the agenda for this meeting be approved as presented. This motion was approved by a unanimous voice vote.

Joe Stock was introduced as a new zoning board of appeals member replacing Marty Fannin.

Approval of the Minutes: None.

Business:

Case SU-3-08 – Review – Kilgus Dairy

This zoning case pertains to a review of a special use permit that allows for a site for agricultural product manufacturing(dairy products) and as a craft and service occupation to sell dairy and other farm products in an AG, Agriculture, District. The property in question in this zoning case is a tract of land approximately 17.95 acres in size in the Northwest Quarter of Section 15 of Indian Grove Township, at 21471 E – 670 North Rd., Fairbury. The zoning administrator remarked about this report regarding this zoning case, that included website information regarding this business operation.

Matt Kilgus, 6778 N – 2150 East Rd., Fairbury, IL., representing the applicant in this zoning case, presented testimony relative to this zoning case. Mr. Kilgus related that they have been in business for 10 years. They have not changed a lot since they started. They have brought in a lot of other local products into their store. In addition to their milk and ice cream that have local cheese, beef, pork and goat meat. They also have local honey and soaps and lotions made out their milk. They process 6500 gallons of milk a week from 150 cows, which has grown from when they first started. Regarding distribution their products go throughout the state, with half of their milk going to Chicago and more milk going to Springfield, Champaign, Peoria and Bloomington.

They have had a little growth over the last five years when this was last reviewed, with more traffic at the store and with agritourism. The board discussed with Mr. Kilgus about his milk operations, of which he indicated that their cow numbers are adjusted to fit their product's needs, and they process all of their milk on site. Only an outdoor freezer was added as far as new structures. Mr. Kilgus indicated he not sure of future development, though they could use more storage space and a cover dock area.

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

No closing comments were made.

William Flott moved, seconded by Neil Turner, that Livingston County Zoning Case SU-3-08 – Review be approved allowing for the continued operation of the Kilgus Dairy site for agricultural product manufacturing(dairy products) and as a craft and services occupation to sell dairy and other farm products, in an AG, Agriculture, District, with this zoning case to be reviewed again by the zoning board of appeals in 5 years, unless otherwise determined by the Livingston County Zoning Administrator.

This motion was then approved by a roll call vote.

Kiefer - Yes

Runyon - Yes

Flott - Yes

Stock - Yes

Turner - Yes

Huisman - Yes

Case SU-5-00 – Review - Campos

This zoning case pertains to the review of a special use that allows for the location of a manufactured home/mobile home in and AG, Agriculture, District. The property in question in this zoning case is parcel of land located in the Northeast Quarter of Section 20 of Newtown Township, at 7748 – 150 East Road – 3000 North Rd. The zoning administrator reviewed his report and remarked about the history regarding this zoning case.

Amado Campos, 7748 – 150 East Road – 3000 North Rd., the property owner and applicant in this zoning case presented testimony relative to this zoning case. Mr. Campos has lived on the property for almost 20 years. The property looks the same, he keeps in clean and he has had no complaints from the neighbors. Only he and his fiancé live in the home. The zoning board inquired as to if a fence surrounded his property. Mr. Campos answered that he has place a fence around his property. The mobile home still sits on a concrete slab. Mr. Campos noted that his situation is the same as it was 5 years ago, and he tries to be nice with his good neighbors, and he does plan on staying on the property for a while. In case new property owners would need to know of this special use review. A diagram was discussed regarding as to where the well and septic are located.

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

No closing comments were made.

William Flott moved, seconded by Richard Kiefer, that Livingston County Zoning Case SU-5-00– Review be approved allowing for the continued placement of a manufactured home/mobile home on the subject property, with this zoning case to be reviewed again by the zoning board of appeals in 5 years, unless otherwise determined by the Livingston County Zoning Administrator.

This motion was then approved by a roll call vote.

Kiefer - Yes
Flott - Yes
Turner - Yes

Runyon - Yes
Stock - Yes
Huisman - Yes

Case SU-2-18 – Review – Threshermen Solar

This zoning case pertains to the review of a special use and a status update on a proposed 2 MW Community Solar Energy Facility. This facility is planned to be on about 30 acres located in Section 26 of Esmen Township. The zoning administrator presented a copy of the narrative document for this project development. Pending bills with the state regarding clean energy were held up in committee, though they may come up again during the fall veto session or next spring. In regard to the state lottery system over 900 solar projects were part of the lottery with slightly over 100 projects being approved by the state. Interconnection fees were also mentioned. A reason for this status review is to find out more information as to were this proposed project is situated in regard to the State of Illinois approval process for solar energy. Conditions placed on this zoning case approval were also reviewed. County changes since this special use was approved regarding fencing was discussed, and this project was already planning to be in compliance with the fencing regulations. The review time was discussed. How other cases will be reviewed in November of next year was discussed. It may need to be reviewed again in one year to see if there is still interest in the project.

Matt Kaufmann, 100 Main St., Tiskilwa, IL, representing the applicant in this zoning case presented testimony relative to this zoning case. Some of their projects submitted were approved, and they have been active in Illinois legislation regarding action within a reasonable time frame. They still consider this a viable project, and they would like to move forward with it and keep proceeding with this project.

The zoning board asked as to if the application submitted remains the same with no changes. Mr. Kaufmann replied that is correct. When will the next shot of being approved occur was discussed. Mr. Kaufmann indicated that is unknown, in part depending on what may happen in the state legislature veto session. Most likely this may be a 2021 project if new legislation passes on the Spring of 2020. On the projects approved they plan on starting construction in 2020. (17 of their 85 projects had been approved.) The fencing requirements were discussed and agree upon. The original conditions were mentioned. The timing of the technology was then discussed. The general concept of this project will remain the same.

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

No closing comments were made.

William Flott moved, seconded by Richard Kiefer, that the Livingston County Zoning Board of Appeals approve the continuation of the plans for a 2 MW Solar Facility in an AG, Agriculture, District, as outlined in the application along with the information provided during the hearings for Livingston County Zoning Case SU-2-18, with the same conditions except that this case will be reviewed again in November of 2020, unless otherwise determined by the Livingston County Zoning Administrator.

This motion was then approved by a roll call vote.

Kiefer - Yes

Runyon - Yes

Flott - Yes

Stock - Yes

Turner - Yes

Huisman - Yes

Case SU- 3-18 -Review- Miacomet Solar

This zoning case pertains to the review of a special use and a status update on a proposed 2 MW Community Solar Energy Facility. This facility is planned to be on about 25 acres located in Section 21 of Newtown Township. The zoning administrator presented a copy of the narrative document for this project development, and reviewed this document. The extra condition of living fences would be part of two sides the perimeter of this projects.

Matt Kaufmann, 100 Main St., Tiskilwa, IL, representing the applicant in this zoning case presented testimony relative to this zoning case. Matt Kaufmann indicated that this is similar to the last project discussed, except that this project is higher up on the wait list and could constructed earlier than the last project discussed. He agreed that the conditions can stay the same.

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

No closing comments were made.

William Flott moved, seconded by Richard Runyon, that the Livingston County Zoning Board of Appeals approve the continuation of the plans for a 2 MW Solar Facility in an AG, Agriculture, District, as outlined in the application along with the information provided during the hearings for Livingston County Zoning Case SU-3-18, with the same conditions except that this case will be reviewed again in November of 2020, unless otherwise determined by the Livingston County Zoning Administrator.

Kiefer - Yes

Runyon - Yes

Flott - Yes

Stock - Yes

Turner - Yes

Huisman - Yes

Case SU-4-18 – Review – Emancipation Brewing

This zoning case pertains to a review of an approved special use to allow for the continued operation of a craft beer brewer/Taproom as a craft and service occupation, in an AG, Agriculture, District. The subject property in this zoning case is a 3 acre tract of land, located in the Southeast Quarter of Section 7 of Pleasant Ridge Township, at 13113 N – 2500 East Rd. The zoning administrator reviewed his report, exhibits and other information relative to this zoning case, including Facebook information on this zoning case. Offsite advertising may be a new issue to be discussed.

Lincoln Slagel, 23413 West Link Lane, Plainfield IL. and Don Slagel 13113 N – 2500 East Rd., Fairbury representing the applicant and property ownership in this zoning case provided testimony relative to this zoning case. Lincoln Slagel commented that they had opened in February of this year, so they have been in operation for seven months, with relatively consistent business. They have no current plans to change their operations at this point. State laws have expanded to allow for potential expansion of a holding area. Retail shops have more lean way, but they do not plan on expanding their business in that area for the time being. They have gone to some festivals. Employee numbers were then discussed between the Slagel’s and the zoning board, full time versus part time was discussed. Currently 7 employees average 6 to 8 hours a week. In regards to signage on Route 47 and on Route 24 was discussed. Maps of proposed sites for advertising were discussed, including one on the Jeri’s Birdhouse property. A sign is in the driveway area of the business. The zoning administrator should be contacted for any new signage. Employee numbers were discussed again, and they may add 2 more employees, up to 9. Lincoln Slagel indicated that may add hours on Sunday, from noon to 6. Lincoln Slagel is the only brewer for the business. Outside seating was discussed, with plans to use the concrete pad that is outside for seating.

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

No closing comments were made.

William Flott moved, seconded by Neil Turner, that Livingston County Zoning Case SU-4-18, be approved to allow for the continuation of this special use for a craft and service occupation, for a craft beer brewery with a tap room on the subject property in an AG, Agriculture, District with the same conditions, with an amendment to condition number 3 to allow up to 10 employees in addition to the family members, and with an amendment to condition number 4 regarding signage allowing for up to two advertising structures that should be approved by the zoning administrator, and that this case will reviewed again in one year, unless otherwise determined by the Livingston County.

This motion was approved by roll call vote.

Kiefer - Yes

Flott - Yes

Turner - Yes

Runyon - Yes

Stock - Yes

Huisman - Yes

Case V-6-19- Steidinger.

This zoning case is in regard to a request for a variance in the side yard setback requirements to allow for an addition to a residence to be 16 feet instead of 25 feet from the side lot line in an AG, Agriculture, District. The property in question is a tract of land in the unincorporated area of Forrest, at 34 Pleasant View Dr. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Ron Steidinger, 34, Pleasant View Dr., Forrest, IL., representing the applicant and property owner in this zoning case presented testimony relative to this zoning case. Mr. Steidinger explained his reasoning for this planned house addition. The addition is to be a new bedroom and bathroom area to the west side. A tree line on the Steidinger property is in between him and his west neighbor with open lot between him and his neighbor to the west.

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

No closing comments were made.

Richard Kiefer moved, seconded by Joe Stock, that the zoning board of appeals approve Livingston County Zoning Case V-6-19 to allow for a variation in the side yard setback distance to be 16 feet instead of 25 feet from a side lot line in an AG, Agriculture, District to allow for the construction of an addition to a dwelling.

This motion was approved by roll call vote.

Kiefer - Yes	Runyon - Yes
Flott - Yes	Stock - Yes
Turner - Yes	Huisman - Yes

Case SU-8-18 – Review – Sember

No one was present to represent this zoning case. This zoning case will be reviewed at a future meeting.

Other Business: None

Approval of the Findings of Fact and Decision:

The chair mentioned the Findings and Fact of Decision pertaining to the zoning cases in which the zoning board of appeals took action on at this meeting. William Flott moved, seconded by Richard Kiefer, that these Findings of Fact and Decision be approved as presented. 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 November 7th. at 7 pm

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

This meeting was adjourned at 9:15 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