

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

Regular Meeting  
7:00 p.m.

February 7, 2019

The meeting came to order and roll call was taken.

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

Members Absent: Richard Kiefer, Marty Fannin and Cheryl Tate

Agenda:

Chair Huisman noted the agenda for this meeting. William Flott moved, seconded by Richard Runyon, that the agenda for this February 7, 2019 meeting be approved as presented. This motion was approved by a unanimous vote.

Approval of the Minutes: None

Business:

Case SU-5-15 Review – Sass

This zoning request pertains to review of a request for a special use that allows for a commercial liquid fertilizer business on the subject property in an AG, Agriculture, District. The property in question in this zoning case is located in the Northwest Quarter of the Southeast Quarter of Section 2 of Long Point Township, at 26592 N – 450 East Rd. The zoning administrator presented his report, exhibits and other information relative to the review of this zoning case.

Eric Sass, 26500 N – 450 East Rd., Long Point, IL., representing of the applicant pertaining to this zoning case, presented testimony relative to this zoning case. Mr. Sass related that nothing has changed since 2015. The past conditions and the draft findings of fact and decision was reviewed. A question on custom applications was discussed.

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

Mr. Sass had no closing comments.

William Flott moved, seconded by Richard Runyon, that Livingston County Zoning Case SU-5-15 – Review be approved allowing for the continuation of a special use permit a commercial liquid fertilizer business, with this zoning case to be reviewed again in three years unless otherwise determined by the zoning administrator.

This motion was then approved by a roll call vote.

Kiefer – Absent(Did not Vote)

Runyon – Yes

Flott – Yes

Fannin – Absent(Did not Vote)

Tate- Absent(Did not Vote)

Turner – Yes

Huisman - Yes

Case SU-6-09 – Review – Opperman Construction Co.

This zoning case pertains to a review of special use permit that allows for the location of a contractor’s storage yard/office building, in and AG, Agriculture, District. The subject property in this zoning case is a tract of land approximately 30.62 acres in size in the Southeast Quarter of Section 26 of Pontiac Township, at 16535 N – 1650 East Rd., Pontiac. The zoning administrator presented his report, exhibits and other information relative to this zoning case, including draft conditions.

John Opperman 16535 N – 1650 East Rd., representing the applicant in this zoning case, presented testimony relative to this zoning case. Mr. Opperman commented on the history of his company, and as to how it has changed through the years. Mr. Opperman related as to how the property is used by the Opperman Construction Co. with an office on the property to go along with their equipment storage.

Mr. Opperman was questioned about changes in his business. Mr. Opperman explained that they have added working on underground utility projects and infrastructure, but the basic use of the subject property remains the same. Mr. Opperman then discussed with the zoning board, that they now have a portable concrete crusher that is at times located on the subject property. This portable crusher will be used and moved as their work and business dictates. The potential use of this concrete crusher was then discussed, including the efficiency of using this crusher. The potential evolution of his business in the next five years was discussed. The number of employees was discussed, with it being noted that the employees generally are at work sites. The office has 2 regular employees, with the company management also working in the office and on site, so at times 6 people may be working in the office. The EPA regulations for the crusher was discussed, and Mr. Opperman related that the crusher is now at the former Wagner quarry site, of which they recently purchased. This site is also used for the temporary storage of piping needed for projects. Hoped for future uses of the crusher was then discussed. Such as in the road construction business.

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

Neil Turner moved, seconded by William Flott, that Livingston County Zoning Case SU-6-09-Review be approved to allow for the property described to be used for the continued location of a contractor’s storage yard/office building on the subject property, as part of an existing contractor’s storage yard along with the approval of the grandfathered contractor’s storage yard, with the condition that this property use be limited to the current property ownership and their so, without zoning board approval, that the number of office employees be limited to six without zoning board approval and that this zoning case be reviewed again in five 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)	Runyon – Yes
Flott – Yes	Fannin – Absent(Did not Vote)
Tate- Absent(Did not Vote)	Turner – Yes
Huisman - Yes	

Case SU-2-15- Review – Pflibsen

This zoning case pertains to a review of a request for a special use, which allow for an indoor shooting range and a rental services business, as part of the development of the subject property in a C1, Local Business, District, being lots 9 through 12 of Block 13 of Vermillion City in unincorporated South Streator in Reading Township. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

Brian Pflibsen of 828 State Route 18 East, Streator, IL., the property owner and applicant representative in this zoning case, presented testimony relative to this zoning case. Mr. Pflibsen commented that the construction on this project is moving along and that he is about one half done.

Mr. Pflibsen related about how the entire project is to include the shooting range, an archery range, a restaurant area, and a meeting area(s) to go along with his gun sales shop. Mr. Pflibsen then mentioned the planned small rental area to also be part of the building. Mr. Pflibsen then remarked about his plans on a classroom to being placed in the basement of the building under the gun shop. A restaurant and kitchen on the ground floor was then remarked about. Then Mr. Pflibsen commented about an idea for a VIP room on the second floor of the building. Sizes of the planned uses were discussed. What was going into the construction of the shooting range was part of the discussion. ADA requirements with electric chair lifts or an elevator was discussed. Plans for three restroom areas was discussed, one on each floor level. The rental business was discussed as to where some of the larger rental equipment may be stored outside. Restaurant plans were then discussed. Parking areas were then discussed. Plans for completing this entire development in one to two years was discussed. The proposed classroom was discussed, along with how the shooting range is being developed to meet NRA guidelines. The discussion between Mr. Pflibsen and the zoning board members then concentrated on more details of the plans for this project development, including plumbing, parking, shooting range development. The zoning board discussed tabling this zoning case until April, to allow for the applicant to be able to gather more detailed specific information about this project.

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

William Flott moved, seconded by Neil Turner, that Livingston County Zoning Case SU-2-15 be tabled, to allow time for the applicant to gather more detailed information on this project.

This motion was approved by a unanimous voice vote.

#### Case ZT-1-18 – Amendment - 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 reviewed his report relating a new definition for a solar farm and accessory use solar systems. Draft language was presented in this report. The zoning boards suggestions for amending this new text language to eliminate the word primary before principle use, and to add a subset of a parcel of land to the proposed text language. Then at the end of the Solar Farm definition a phrase of including any and all solar generation facilities that enter into an interconnection agreement with a regulated utility. Under the proposed definition for Accessory Use Solar Systems, discussion took place as to what is a principal building, with a proposed phrase of on the subject property to follow principal use. Definitions of principal building and use were part of the report. The minimum fence height was then discussed to be a minimum height of 7 feet.

Richard Runyon moved, seconded by Neil Turner, that the Livingston County Zoning Board of Appeals recommend to the Livingston County Board the approval of Livingston County Zoning Case ZT-1-18 – Amendment that pertains to a request of the Livingston County Planning Commission for a proposed text amendment for the purpose of amending the test of the Livingston County Zoning Regulations, as outlined in the findings of fact and recommendation for this zoning case.

This motion was then approved by a roll call vote.

Kiefer – Absent(Did not Vote)

Runyon – Yes

Flott – Yes

Fannin – Absent(Did not Vote)

Tate- Absent(Did not Vote)

Turner – Yes

Huisman - Yes

Other Business: None

Approval of the Findings of Fact and Decision:

William Flott moved, seconded by Neil Turner, that the findings of fact and decision for approved or recommended case at this February 7, 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 March 7, 2019, at 7:00 pm. A tentative meeting schedule had been provided to the zoning board members.

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

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