

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

Regular Meeting  
7:00 p.m.

April 8, 2021

The meeting came to order at 7:00 p.m.. Pursuant to Public Act 101-0640 and the Gubernatorial Disaster Proclamation related to COVID-19, participation in this meeting was offered in person, through Zoom and by teleconference.

Members Present: Dave Randolph, Joan Huisman, Neil Turner, William Flott

Present via Zoom: Lincoln Slagel

Others Present: Jesse King, Jason Bunting, Sarah Wallrich

Members Absent: Richard Runyon, Richard Kiefer, Joe Stock

**Approval of the Agenda:**

Chair Huisman noted the agenda for this meeting. Dave Randolph moved, seconded by William Flott, that the agenda for this April 8, 2021 meeting be approved as presented.

This motion was then approved by a roll call vote.

|           |                  |          |                  |
|-----------|------------------|----------|------------------|
| Kiefer –  | Absent – No Vote | Runyon – | Absent – No Vote |
| Flott –   | Yes              | Stock –  | Absent – No Vote |
| Randolph- | Yes              | Turner – | Yes              |
| Huisman - | Yes              |          |                  |

**Approval of Minutes:**

The minutes of the March 4, 2021 meeting were noted to the zoning board members. Neil Turner moved, seconded by William Flott, that the minutes be approved.

This motion was then approved by a roll call vote.

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|-----------|------------------|----------|------------------|
| Kiefer –  | Absent – No Vote | Runyon – | Absent – No Vote |
| Flott –   | Yes              | Stock –  | Absent – No Vote |
| Randolph- | Yes              | Turner – | Yes              |
| Huisman - | Yes              |          |                  |

**Business to be reviewed:**

Case SU-4-18 – Emancipation Brewery (Review)

This zoning case pertained to a review of a previously approved zoning case that allows for the operation of a craft and service operation (craft beer brewery/tap room) in an AG, Agricultural, District.

The zoning assistant administrator provided an overview of the case to members of the board as well as a summary of what was discussed at the last review of the brewery.

Lincoln Slagel was present at the meeting via Zoom who is part owner of the brewery as well as the brewer. Mr. Slagel was sworn in and then provided an update on the business to members of the board. Mr. Slagel explained to the members that the COVID pandemic presented a big challenge to daily operations at the brewery, but they have been able to manage up to this point by utilizing their outdoor seating. At the last review, the brewery had been approved to have operating hours of noon-6 on Sundays. However, Mr. Slagel related that he has only utilized noon-5 as hours of operation on Sundays. Additionally, he has shortened the hours of operation on Thursdays and Fridays.

Mr. Slagel stated that he currently employs 9 people, but feels as though he is short-staffed at that number and would like to hire up to 13 people, increasing his current staff by 4. However, he intends to keep his hours of operation the same.

William Flott then mentioned the food truck that has been in operation at the location. Mr. Slagel explained that due to the complicated nature of having a state licensed “brew pub” which is a licensed brewery that is also licensed to cook/serve food, Mr. Slagel elected to instead serve pre-packaged food at the brewery and start a food truck. Mr. Slagel further explained that the food truck is not a permanent fixture of the property or brewery and is also completely separate from the brewery financially. Mr. Slagel stated that the food truck operates at the brewery as well as other local events away from the brewery. It was also explained that there is a power hook-up at the brewery site for Mr. Slagel’s food truck, as well as other food trucks, to hook up to. It was then discussed among board members and the assistant zoning administrator whether a special use permit for the food truck would be necessary or not. It was determined that a special use permit would not be necessary since the food truck is not exclusively operated at the subject property and that maintaining proper licensing through the Livingston County Health Department would be sufficient.

The last topic of discussion was Mr. Slagel’s intention to construct a fence that would separate the entrance of the brewery from the outdoor seating portion. Mr. Slagel explained that this was desired in order to force patrons to enter and exit through the tap room rather than freely walking around the building. It was determined that Mr. Slagel could do so and that obtaining a building permit wouldn’t be necessary.

William Flott moved, seconded by Neil Turner, that zoning case SU-4-18 be approved with an increase of employees to 20, the case be reviewed again in 3 years, and all other conditions remain.

This motion was then approved by a roll call vote.

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|-----------|------------------|----------|------------------|
| Kiefer –  | Absent – No Vote | Runyon – | Absent – No Vote |
| Flott –   | Yes              | Stock –  | Absent – No Vote |
| Randolph- | Yes              | Turner – | Yes              |
| Huisman - | Yes              |          |                  |

#### Case SU-5-10 – Wallrich (Review)

This zoning case pertained to a review of a previously approved special use permit to allow for an additional farm dwelling on property located in an AG, Agriculture, District.

The zoning assistant administrator provided an overview of the case to board members.

Sarah Wallrich was present at the meeting and was sworn in. Mrs. Wallrich then explained to board members that nothing has changed since the last review and that her son and his wife still live in the older farm dwelling and that her and her husband live in the newer dwelling. Due to her husband's stroke, he requires extra assistance that having her son and daughter-in-law at the property helps manage that.

Mrs. Wallrich declined to make a closing statement and there were no further questions from the board members.

Dave Randolph moved, seconded by Neil Turner, that this case be set for review in 5 years with the same conditions to apply.

This motion was then approved by a roll call vote.

|           |                  |          |                  |
|-----------|------------------|----------|------------------|
| Kiefer –  | Absent – No Vote | Runyon – | Absent – No Vote |
| Flott –   | Yes              | Stock –  | Absent – No Vote |
| Randolph- | Yes              | Turner – | Yes              |
| Huisman - | Yes              |          |                  |

**Findings of Fact and Decision:**

William Flott moved, seconded by Dave Randolph, that the Findings of Fact and Decision be approved.

This motion was then approved by a roll call vote.

|           |                  |          |                  |
|-----------|------------------|----------|------------------|
| Kiefer –  | Absent – No Vote | Runyon – | Absent – No Vote |
| Flott –   | Yes              | Stock –  | Absent – No Vote |
| Randolph- | Yes              | Turner – | Yes              |
| Huisman - | Yes              |          |                  |

**Other Business:**

The assistant zoning administrator noted that there are some cases out there that are overdue for review and would be on the agenda for upcoming meetings. Also noted were potential new zoning cases that could be coming before the board at upcoming meetings.

The assistant zoning administrator also noted that this would be the last 7 PM meeting and that the next meeting would be May 6<sup>th</sup> at 7:30 PM along with several other upcoming meetings.

**Public Comment:** None

**Report of Officers:** None

**General Discussion:** None

**Adjournment:**

The chair asked for a motion to adjourn. Neil Turner then moved, seconded by William Flott, that this meeting be adjourned. This motion was approved by roll call vote.

This motion was then approved by a roll call vote.

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|-----------|------------------|----------|------------------|
| Kiefer –  | Absent – No Vote | Runyon – | Absent – No Vote |
| Flott –   | Yes              | Stock –  | Absent – No Vote |
| Randolph- | Yes              | Turner – | Yes              |
| Huisman - | Yes              |          |                  |

This meeting was adjourned at 7:35 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,

Jesse J. King, Assistant Administrator  
Livingston County Regional  
Planning Commission