

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

Regular Meeting
7:30 p.m.

May 6, 2021

The meeting came to order at 7:43 pm

Members Present: Dave Randolph, Joan Huisman, Richard Runyon, William Flott

Others Present: Jesse King, Ronald Fehr, Thomas Magers, Bob Russell, Scott Dehm, Tammy Dehm

Members Absent: Richard Kiefer, Joe Stock, Neil Turner

Approval of the Agenda:

Chair Huisman noted the agenda for this meeting. William Flott moved, seconded by Richard Runyon, that the agenda for this May 6, 2021 meeting be approved as presented.

This motion was then approved by a roll call vote.

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

Approval of Minutes:

The minutes of the April 8, 2021 meeting were noted to the zoning board members. Dave Randolph 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 – | Yes |
| Flott – | Yes | Stock – | Absent – No Vote |
| Randolph- | Yes | Turner – | Absent – No Vote |
| Huisman - | Yes | | |

Business to be reviewed:

Case SU-7-13 – Laminating Products, LLC (Review)

This case pertained to a review of a previously approved special use permit to allow for an agricultural product manufacturing business in an AG, Agricultural, District.

The zoning assistant administrator presented an overview of the case as well as presented actions that were discussed at the last review of this zoning case back in 2017.

Ronald Fehr, 900 E. Elm Ln., Fairbury, IL was present at the meeting to represent this case. Mr. Fehr related to board members that business is going well and that they are not operating the business for many hours at this particular location. Mr. Fehr also stated that they are not currently doing any work for outside companies and are only using the business for manufacturing products for their other business (Fehr Cab Interiors) only.

Mr. Fehr informed board members that the location is rarely used. He also related that there are typically only about 4 employees that utilize this business location on Wednesday's only from 1 PM to 6-6:30 PM usually.

Mr. Fehr was asked whether he felt any changes were necessary from the previous review. Mr. Fehr felt that the numbers that they have been allowed to this point would be fine for now.

Richard Runyon then moved, seconded by Dave Randolph, that this case be closed and be reviewed again in 3 years.

This motion was then approved by a roll call vote.

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

Case SU-1-02 – Piece of Cake Agility Obedience Dog Club, Inc. (Rescind)

This zoning case pertained to a previously approved special use permit to allow for an dog training club in an AG, Agriculture, District.

The assistant zoning administrator reminded members of the location of the subject property. The assistant zoning administrator then informed members that he had been contacted by Joan & John Marec, the applicants, and they notified him that they had sold their business to a business in Urbana and would no longer be needing a special use permit for their property. Therefore, this zoning case was on the agenda to be rescinded

William Flott moved, seconded by Richard Runyon, that this special use permit be rescinded.

This motion was then approved by a roll call vote.

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

SU-3-21 – Old Iron Powder Coating & Restoration, LLC

This zoning case pertained to a proposed special use permit to allow for a craft and service occupation (powder coating business) to operate in an AG, Agriculture, District.

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

Bob Russell (1108 N. Dorothy Dr., Pontiac) and Scott & Tammy Dehm (9328 E. 1200 North Rd., Chenoa) were present at the meeting to represent this case. Mr. Russell explained to board members that the business has been in operation for approximately 9 years. He also added that upon notification of this process coming about, he went to the property and inspected the site of the business. Mr. Russell stated that he looked at the drainage and wastewater at the property and feels as though there is no impact on either aspect due to the nature of the business not requiring any type of drainage or wastewater management.

Board members then asked the applicants about proper ventilation to the machine shed due to the nature of the materials used. Scott Dehm explained to members that they had purchased professional powder coating/painting booths that provide proper ventilation while in use.

Scott & Tammy Dehm then further explained the scope of their work which includes powder coating for large businesses such as John Deere, International, and Central Illinois Doors. Additionally, they restore tractors.

Board members then raised concerns over hazardous waste that is potentially produced from the business. Scott & Tammy Dehm assured board members that they do not have any hazardous waste and that the extent of their waste product is cleaned up by sweeping it up and disposing of it properly.

Regarding employees, the Dehms explained that they currently only have 1 employee which is their son, but hope to expand their business in the near future which will include expansion of their current building as well as staff by hiring 2-3 more employees.

Regarding operating hours, the Dehms stated that they typically have operating hours of 7:30 AM – 4 PM, but will occasionally go to 4:30 PM.

Board members and the assistant zoning administrator then discussed the expansion of the business and what could be done to allow for the expansion of the business. The assistant administrator noted that an additional special use would need to be filed for the expansion. It was then noted that the applicants stated in their application their intentions to have a 54' x 56' addition added onto their existing machine shed in the near future. It was then proposed that the approval of the special use at this meeting also include the proposed expansion since it was noted in the initial application. The Dehms stated that the proposed expansion they had put in their application was going to be smaller than they now are wanting to expand. The Dehms stated that they now believe that they would like to have an approximately 54' x 75' addition completed onto their existing shed. It was then determined after discussion between board members and the assistant zoning administrator that the dimensions of the proposed addition would be amended in their application to be 54' x 100' and if they are to have an addition any bigger than that, they would need to file an additional special use permit. The Dehms stated that they would certainly not have an addition bigger than that done.

Richard Runyon then moved, seconded by Dave Randolph that this special use permit be approved and that they be allowed up to 5 employees at the business excluding family members and that business hours be 7:30 AM – 4:30 PM.

This motion was then approved by a roll call vote.

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

ZM-1-21 – Magers

This zoning case pertains to a proposed zoning map amendment to change zoning of C2, Central Business, District property to R2, Low Density Multiple Family Residential, District.

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

Thomas Magers, 302 Elm St., Campus, was present at the meeting to represent this case. Mr. Magers explained to board members that he and his wife have lived in Campus for 40 years and now that their kids are no longer living with them, they would like to move into a smaller home so that there is less required upkeep. Mr. Magers further explained that they would like to stay in Campus and that they haven't been able to find a smaller home for sale in town. Therefore, when the subject parcels came up for sale, Mr. Magers developed the idea to build a smaller home on those parcels. Mr. Magers stated that he only intends to build a 2 bedroom 1 bathroom ranch style home on the property.

Board members then asked for clarification on the location of where he was expecting to build his home on. It was determined that Mr. Magers would construct the residence on the Eastern portion

of the property. One of the board members then inquired as to whether Mr. Magers would combine the lots in to one lot. Mr. Magers explained that he would like to either have the 3 lots resized to what they originally were, or he would like to have the 3 lots split into 2 equal sized lots in case he were to ever want to sell part of the property.

It was then mentioned about the tavern being so close to the property and whether that would be an issue. Mr. Magers stated that the tavern is not open on a regular basis and he does not see there being any issues with him living there. Mr. Magers stated that he could also plant a natural fence to separate his property from the tavern or also construct a privacy fence.

Surrounding property owners were then discussed which included conversation about the township property that borders the subject property to the North as well as single family residences that are all around the property

Dave Randolph then moved, seconded by Richard Runyon that zoning case ZM-1-21 be approved.

This motion was then approved by a roll call vote.

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

Findings of Fact and Decision:

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

This motion was then approved by a roll call vote.

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

Other Business:

The assistant zoning administrator noted that he had been in contact with Tim Kenney from Valley View Industries and that it appeared that they are planning on submitting 6-7 special use applications to allow for the transfer of Valley View’s mineral extraction sites be transferred to new ownership.

The assistant administrator also informed board members that EDF Renewables believe they are within a month or two of being ready to submit an application for their wind farm project in the Campus area.

Lastly, the recent subdivision that was presented by the Village of Dwight that is proposed to be developed near the Dwight Country Club in unincorporated Dwight was discussed. There was some concern as to why the subdivision process had not been done through the county.

Public Comment: None

Report of Officers: None

General Discussion: None

Adjournment:

The chair asked for a motion to adjourn. Richard Runyon 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 – | Yes |
| Flott – | Yes | Stock – | Absent – No Vote |
| Randolph- | Yes | Turner – | Absent – No Vote |
| Huisman - | Yes | | |

This meeting was adjourned at 8:56 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

