

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

Regular Meeting  
7:30 p.m.

June 10, 2021

The meeting came to order at 7:35 pm

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

Others Present: Jesse King, Jason Pitte, Thadd Zimmerman, Jeff Zimmerman, Jamie Connelly, Brian Ifft, James Reihl, Jamie Sharisky, Robert Sharisky, Brenda Lawrence, and Richard Myers

Members Absent:

**Approval of the Agenda:**

Chair Huisman noted the agenda for this meeting. William Flott moved, seconded by Dave Randolph that the agenda for this June 10, 2021 meeting be approved as presented.

This motion was then approved by a roll call vote.

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

**Approval of Minutes:**

The minutes of the May 6, 2021 meeting were noted to the zoning board members with a correction noted. Dave Randolph moved, seconded by Neil Turner, that the minutes be approved as amended.

This motion was then approved by a roll call vote.

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

Prior to starting the business portion of the meeting, Chair Huisman inquired about interested parties or objectors that were present for each case. Noting 1 interested party for zoning case ZM-3-21 and 4 for zoning case ZM-2-21/V-1-21, Chair Huisman elected to switch the order of the two zoning cases on the agenda, making zoning case ZM-2-21/V-1-21 the last item on the agenda instead of zoning case ZM-3-21.

**Business to be reviewed:**

**Case SU-1-19 – Ifft (Review)**

This zoning case pertained to a review of a previously approved special use to allow for the operation of a welding and machine shop in an AG, Agriculture, District located in section 19 of Avoca Township. The assistant zoning administrator presented an overview of the zoning case to board members.

Brian Ifft, 117 Parkview Dr., Forrest, was present at the meeting and related to board members that he is not doing anything new at his business and that it is still just him that works for himself. Mr. Ifft also stated that his posted hours are 7:30-4, but will work odd hours depending on when farmers need him. For signage, Mr. Ifft stated that he has the same one sign that he had originally posted.

With no other questions, comments, or concerns noted, Joe Stock then moved, seconded by Neil turner that zoning case SU-1-19 be closed and reviewed again in 1 year.

This motion was then approved by a roll call vote.

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

**Case SU-1-17 – Connelly (Review)**

This zoning case pertained to a review of a previously approved special use to allow for the operation of a dog grooming business in an R2, Low Density Multiple Family Residence, District located in unincorporated South Streator. The assistant administrator presented an overview of the zoning case to board members.

Jamie Connelly, 1611 Hawthorne Rd., Streator, was present at the meeting and explained to board members that the business hasn't changed much and that she typically works Tuesday through Saturday plus sometimes Sunday and is usually done by 3 PM although her posted hours are 9-5. Ms. Connelly also related that she is seeking to expand her business by hiring 1 or 2 people outside of her family to work for her as animal groomers and that she'd like to be able to have one dog per groomer allowed into the business at a time.

With no objections noted by board members to Ms. Connelly’s proposal, Dave Randolph moved, seconded by William Flott that the case be closed and that Ms. Connelly be allowed to expand her business to no more than 2 employees and allow one dog per groomer.

This motion was then approved by a roll call vote.

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

### **V-2-21 – Lawrence**

This zoning case pertained to a proposed variance to allow for the placement of a mobile home greater than 10 years of age upon property located in an AG, Agriculture, District. In addition, there was a request for a variance in side yard distances from the required 25 feet. The assistant zoning administrator provided an overview of the case to board members.

Brenda Lawrence, 25406 E. 825 North Rd., Forrest, was present at the meeting and related to board members that she was given the subject property and that she stays there part-time on the residence that currently sits there. Ms. Lawrence added that the home currently there has become too costly for her to fix and that she had found a mobile home in good shape that would be much more economically feasible for her to acquire and place onto the land. Ms. Lawrence also informed members that there would be a 3 foot deep concrete foundation poured and that the mobile home would sit on a permanent foundation of cinder blocks on top of that.

Board members posed the question about whether the applicant could turn the mobile home in a manner to get it further from the property lines. Although the applicant said they could do that, the zoning administrator noted that there would then be front and rear yard setback issues due to the size of the lot.

Board members then asked where the mobile home would be coming from to which Ms. Lawrence stated that it is currently being stored in Blackstone and that it would be transported to her property via truck and trailer.

With no other concerns noted, Dave Randolph moved, seconded by Neil Turner that zoning case V-2-21 be approved. There was then discussion on a timeline to have the trailer moved into place. It was agreed upon by board members for Ms. Lawrence to have the mobile home moved onto the property within 1 year.

This motion was then approved by a roll call vote.

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

### **ZM-3-21 – Zutat Feed Solutions**

This zoning case pertained to a proposed zoning map amendment to change the zoning of property zoned AG, Agriculture to a classification of I1, Light Industry to allow for the development and operation of an animal feed manufacturing facility located in unincorporated Chatsworth. The zoning assistant administrator provided an overview of the case to board members.

Thadd Zimmerman, 29697 E. 825 North Rd., Forrest, was present at the meeting as a representative of the case. Thadd explained to the board members that his company currently leases property in Roberts, IL and that they are seeking to move to a more permanent location and that they felt this property near Chatsworth was best suited for their needs.

Board members asked for clarification on the site layout which was clarified by Mr. Zimmerman.

Board members also asked Mr. Zimmerman about waste that would be produced by the facility. Mr. Zimmerman explained that the primary solid waste produced by the facility would be plastic and cardboard packaging that would be recycled or disposed of by traditional landfill garbage. Additionally, Mr. Zimmerman explained that there would also be washout waste that would be produced by cleaning out trucks and storage tanks with water and a chemical solution which becomes classified as industrial water waste and that it would be disposed of at the Kankakee waste water treatment facility per EPA regulations.

Another concern raised by board members was the issue of dust and smells. Mr. Zimmerman explained to board members that there would be an air exhaust from the facility that is produced when bread is dried in the dryer. Mr. Zimmerman assured board members that they have all required permitting through the EPA to allow for the exhaust that they intend on emitting.

With no other concerns or questions, Becky Taylor, 1510 W. Reynolds St., Pontiac, from the Livingston County Soil & Water District presented an overview of the soil analysis to the board members. Ms. Taylor related to board members that she had an opportunity to review the site layout of the proposed project and concluded that the project would have a limited impact on agriculture in the area.

With no other questions or concerns raised by board members, Joe Stock then moved, seconded by Dave Randolph that zoning case ZM-3-21 be recommended for approval.

This motion was then approved by a roll call vote.

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

### **ZM-2-21 & V-1-21 – Pitte**

This zoning case pertained to a proposed zoning map amendment to change the zoning classification of two parcels of land located in South Streator from C1, Local Business and R2, Low Density Multiple Family classifications, respectively, to a C3, General Business classification to allow for the development and operation of a rental storage unit facility. Additionally, there was a proposed variance to allow for a 5 foot setback distance from a C3 district that adjoins a residential district in the same block. The assistant zoning administrator provided an overview of the case to board members.

Jason Pitte, 301 W. Jefferson St., Streator, was present at the meeting to represent his case. Mr. Pitte explained to board members that he intends to construct the storage buildings where they would reach a maximum height of 8.5 feet tall at the pitch of the roofs and that the privacy fences he would construct would hide most of the buildings. Mr. Pitte also noted the existing building on the North end of the currently C1 zoned property by saying he would evaluate the condition of the building and determine whether it would be worth saving or not.

Board members then asked for clarification on the variance portion of the zoning case which was clarified by Mr. Pitte by explaining that the fence would be 2 feet from surrounding property lines and that his storage buildings would then be 3 feet from the fence for a total of 5 feet of distance from property lines to the edge of storage buildings as opposed to the required 10 feet of setback distance.

A question of how many storage units would be in each building then came up. Mr. Pitte explained that each unit would be 10 feet wide and that the most northern and southern buildings would be approximately 190 feet long which would contain 19 units per building. Mr. Pitte added that the middle two buildings would be 170 feet long which would allow for 17 storage units in each of those buildings as well.

Board members then asked Mr. Pitte about his timeline of construction and if he intended on constructing all four storage buildings right away. Mr. Pitte stated that he intended to begin construction as soon as possible and that he would start by constructing one building and then adding buildings as they become full.

There was then an issue of what would happen if all the storage unit buildings did not get rented out. Mr. Pitte assured board members that he believed he would not have a problem renting out all available units.

James Reihl, 112 E. Franklin St., Streator, was present at the meeting as an interested party in this matter and presented testimony against the approval of this zoning case. Mr. Reihl related that he has lived in the area for many years and that he is opposed for the R2 parcel to be changed to a C3 classification. Mr. Reihl related that he was concerned about possible future developments on the property if the storage unit business were to ever fail or be sold due to the new classification of the property. Mr. Reihl also noted his concerns over the potential for increased crime in the area due to valuable items being stored in the storage units. As an example, Mr. Reihl noted the break-ins to the South Post gun shop and how the windows are now barred. Mr. Reihl further explained that there is already an increased amount of traffic on his dead end street which he believed was due to the increasing amount of commercial business being developed in the area. Finally, Mr. Reihl noted to board members that he enjoys seeing the deer, turkey, and eagles in the area and that he is concerned that wildlife may be disturbed by the construction of this project.

Jamie Sharisky, 119 E. Franklin St., Streator, was also present at the meeting as an interested party and presented testimony against the approval of this zoning case. Mrs. Sharisky also noted her concern for the disturbance of wildlife that may occur with the construction of the storage units and that there are honey bee hives nearby that she is afraid might be disturbed by the increased noise and vibrations that would occur from construction of the units. Mrs. Sharisky also explained that when she purchased the property back in 2013, she was told that it was located in a residential zoning district and that she would not be allowed to operate a business out of the house. Therefore, she was under the impression that the area where she lived would remain residential in nature. Mrs. Sharisky also related to board members that her husband has cared for the subject properties for years by mowing them.

Robert Sharisky, 119 E. Franklin St., Streator, was also present at the meeting as an interested party. Mr. Sharisky, too, noted his concerns over the already increased amount of traffic and the potential for increased criminal activity. Mr. Sharisky described a time where someone had driven through his yard to get to the property where Mr. Pitte currently keeps his trailers parked and broke into them. Mr. Sharisky further explained that he has mowed both of the subject properties for years and that at one time he had approached the current owner of the properties and inquired about purchasing the R2 property, but the property owner wished to sell both properties at the same time. Mr. Sharisky stated that he was not interested in purchasing the C1 zoned property. Mr. Sharisky also explained that the open lot that is currently there is sort of a park for residents of the area and that it would be reduced to a fenced in gravel lot.

Richard Myers, 1906 S. Bloomington St., Streator, was also present at the meeting as an interested party to present testimony in favor of the proposed zoning change. Mr. Myers explained that he lives directly across the street of the property and has watched it deteriorate over the years with trailers, shabby looking trees and buildings. Mr. Myers explained that the idea of having someone come in and clean up the property was very appealing to him. Additionally, as a member of the Reading Township board, he is always in favor of new business opportunities to come to the

township. Mr. Myers also stated that he does not notice any increase in the volume of traffic to the area that had been noted by previous testimony.

Chair Huisman then gave each interested party an opportunity for a closing statement from each interested party.

Mr. Myers stated that he knows Mr. Pitte very well and that he is confident that he will clean up the property and will do a good job with developing and managing the property.

Mr. Sharisky stated that the alleviation that Mr. Myers would experience from this proposed development would result in his permanent eyesore. Mr. Sharisky also stated that he and his wife intend to move out of their house if the project is approved.

Mrs. Sharisky stated that she just wants the R2 zoned property to remain the way it is to preserve the way they currently enjoy the property.

Mr. Reihl noted Mr. Myers' statement about not noticing the increased traffic by saying that Mr. Myers only sees the traffic on Route 23 and not the traffic on Franklin Street. Mr. Reihl also noted how the resale values of his, the Sharisky's, and the other neighbors' houses will be negatively impacted due to the proximity of the storage unit facility. Additionally, Mr. Reihl suggested that the cleanup of the property that Mr. Myers was looking forward to could be done now without having to approve these cases and it hasn't been done.

Mr. Pitte stated that he would do as much as he possibly can to hide everything well from the neighbors and to keep everyone happy. A question about a privacy fence was then raised by the board. Mr. Pitte explained that he intended on constructing a chain link fence with a privacy mesh attached to it that was rated for 90% blockage. There was concern among board members that it would still leave some ability for it to be see through.

At approximately 9:35 PM, Chair Huisman announced a brief break for opportunity to use restrooms and the water fountain.

At approximately 9:51 PM, the meeting resumed.

Chair Huisman then explained to board members that she was looking for a motion to approve zoning case ZM-2-21 and further explained that those who are opposed will simply say so in the roll call vote and that this method of voting is best in order to avoid misunderstanding of how the vote reads when a decision is made.

Richard Kiefer then moved, seconded by Dave Randolph that the zoning board of appeals recommend the approval of zoning case ZM-2-21.

There was then further debate about the zoning case.

This motion was then approved by a roll call vote.

Kiefer –	Yes	Runyon –	No
Flott –	No	Stock –	Yes
Randolph-	Yes	Turner –	Yes
Huisman -	No		

Chair Huisman then asked for the same motion as the previous case for zoning case V-1-21.

Richard Kiefer then moved, seconded by Neil Turner that zoning case V-1-21 be approved.

There was then further discussion about the zoning case.

This motion was then denied by a roll call vote.

Kiefer –	No	Runyon –	No
Flott –	No	Stock –	No
Randolph-	No	Turner –	No
Huisman -	No		

### **Other Business:**

The assistant zoning administrator noted to board members that the next meeting is scheduled for July 8<sup>th</sup> at 7:30 PM. Additionally, the assistant zoning administrator explained to board members that he had been in contact with Tim Kenney from Valley View and that they would now be attempting to have their case in the August meeting.

The assistant zoning administrator noted to board members that there would be a special use case coming next month regarding a proposed dog rescue facility near Gridley.

The new office building that the Fairbury American Legion Speedway has proposed to build was then mentioned by the assistant zoning administrator. The assistant zoning administrator noted that they would at least be needing a variance to place the new office building over the old one that would be knocked down. The assistant zoning administrator then posed the question to board members whether or not they should also submit an application for a special use on the property due to the increased development on the property. It was determined that they should, indeed, apply for a special use permit for the property.

The Ziegenhorn campground was then mentioned by the zoning administrator and asked them if the applicant should be brought in for a review next month due to the increased activity on the property. It was determined that the applicant would not be brought in for a review next month.

There was then mention of a gentleman who had stopped by the zoning office by the zoning administrator who stated that he wanted to know if he could place his camper down on property in

an R2, Low Density Multiple Family Residence, District for approximately 7 months out of the year where he would then move it down to Florida for the other part of the year. After some discussion, it was concluded that it should not be allowed to placed there due to a precedent that may be set if such a thing is allowed to occur.

Then, there was discussion about Slagel Manufacturing near Strawn and how they are planning a 100' x 300' building construction on their business property. The assistant zoning administrator asked board members if they felt that a review of their special use case was necessary for this since they were not due for another review until 2024. After some discussion, it was decided that a review would be necessary.

**Findings of Fact and Decision:**

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

This motion was then approved by a roll call vote.

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

**Public Comment:** None

**Report of Officers:** None

**General Discussion:** None

**Adjournment:**

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

This motion was then approved by a roll call vote.

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

This meeting was adjourned at 10:40 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