

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

Regular Meeting  
7:00 p.m.

June 20, 2019

The meeting came to order and roll call was taken.

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

Members Absent: Neil Turner

Agenda:

Chair Huisman noted the agenda for this meeting. William Flott moved, seconded by Richard Kiefer, that the agenda for this June 20, 2019 meeting be approved as presented. This motion was approved by a unanimous vote.

Approval of the Minutes: None

Business:

Case SU-1-09 – Review – Kaeb Wood Products

This zoning case is in regard to a review of a special use permit to allow for the continuation of a pallet grinding business, as a machine shop/contractor's storage yard/craft & service occupation, in an AG, Agriculture, District. The subject property in these zoning cases is a parcel of land approximately 1.56 acres in size, located in West Half of Section 22 in Forrest Township. The zoning administrator reviewed the report, exhibits and other pertinent information regard this zoning case, including recent photographs of the subject property.

Phillip Kaeb, 15968 North – 3800 East Rd., Saybrook, IL, representing the applicant presented testimony relative to this zoning case. Mr. Kaeb relate that he gets scrap material from pallet shops close by and from as far away as 70 miles. He converts these scraps into animal bedding and mulch. Some of the mulch is colored which is done inside. Mr. Kaeb then described about how he plans on using a concrete slab with bunkers to store the different colors of landscape mulch. Landscapers buy his mulch, and Kilgus Dairy is also a customer of his products. Mr. Kaeb related that he picks up most of his materials, though a few may deliver them. Grinding and storage is done inside for some products. The mulch needs to cure for one year so some mulch products are stored outside. He will have 2000 to 3000 yards of material stored outside. He has little blowing because his material is coarse. It is better to store the mulch outside. Mr. Kaeb is now doing this job full time, as he quit farming last fall.

Some people do come and pick up his products. Most of his customers are within 65 miles of his business. Existing conditions and the business name were discussed. The name has changed back to Kaeb Wood Products, storing of the products can be allowed outside, and the treating of some of their products is allowed. The same number of employees will remain as a condition.

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

Mr. Kaeb had no closing comments.

William Flott moved, seconded by Richard Runyon, that Livingston County Zoning Case SU-1-19 – Review be approved allowing for the continued location of the existing pallet grinding business, as a machine shop/contractor’s storage yard/craft & service occupation, in an AG, Agriculture, with this zoning case to be reviewed again in three years unless otherwise determined by the zoning administrator. The name has changed back to Kaeb Wood Products, storing of the products can be allowed outside, and the treating of some of their products is allowed. The same number of employees will remain as a condition.

This motion was then approved by a roll call vote.

Kiefer – Yes  
Flott – Yes  
Huisman – Yes

Runyon – Yes  
Turner – Absent (Did not Vote)

#### Case V-2-19 - Oughton

This zoning case is in regard to a request for a variation in zoning regulation requirements to allow for a division of property with a need for a variance in the lot width, allowing for a proposed new tract to have a lot width of 96 feet instead of 150 feet of in an AG, Agriculture, District The subject property in these zoning cases is a 1.65 acre parcel of land, located in West Half of Section 32 of Dwight Township. The zoning administrator reviewed the report, exhibits and other pertinent information regard this zoning case, including a plat of survey of the proposed new tract of land with easements.

Mike Oughton, 2561 West Liberty Drive Channahon, IL, representing the ownership of the property, presented testimony relative to this zoning case. Mr. Oughton related that the section of land being discussed has been in their family for over 100 years and it is in partnership, and they want to separate it out, staying out of any income generating property. There is no intent to remove the house located on the property. They are hunters and the property is partially used as a family hunting preserve. His aging mother lives in Dwight and this would give them a local place to stay. The proposed width of the lot is to keep this proposed lot separate from the farm operations. Mike Oughton would own the proposed new parcel area. Someone does live in the old house. The plat with the easement commented about. The building could be used for residence, though they only plan on staying there part of the time, as there is a housing section to the shed.

The potential to get 150 feet of frontage was discussed. Mr. Oughton stated that they do not want any farm land in the new lot area. If there is another practical/reasonable way to have 150 feet of frontage was discussed.

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

Mr. Oughton had no closing comments.

William Flott moved, seconded by Richard Kiefer, that Livingston County Zoning Case V-2-19 be approved allowing for a variance in the lot width, allowing for a proposed new tract to have a lot width of 96 feet instead of 150 feet of in an AG, Agriculture, District.

This motion was then approved by a roll call vote.

Kiefer – Yes

Runyon – Yes

Flott – Yes

Turner – Absent (Did not Vote)

Huisman – Yes

#### Case V-3-19 - Ohligschlager

This zoning case is in regard to a request in a variation in zoning regulations requirements to allow for the reconstruction of a house 10 feet instead of 20 feet from a front lot line and 6 feet instead of 10 feet from a side lot line in an R2 District, at 1902 S. Bloomington St., in unincorporated Streator. The zoning administrator reviewed the report, exhibits and other pertinent information regard this zoning case. Comments from area property owners made to the zoning administrator included a request to keep the east side of the house in line with the other houses on Bloomington St. A second comment sent in an email from Richard Myers, an adjacent property owner to the subject property, whose has concerns on drainage from the subject property and he does not want water running onto his property. The location of the previous house on the property was noted.

Rodney Leonard, 207 W. First, Streator, IL, the contractor for this project, presented testimony relative to this zoning case. Mr. Leonard will be the contractor for the entire project. The property owner thought that the lot was bigger than it is, as the property owner inherited the property from his parents. George Ohligschlager owns the property now. Mr. Leonard then noted the proposed location of the house, noting it would be 10 off the sidewalk compared to the previous house being 4 feet off of the sidewalk. He then confirmed that the old house has been demolished. The location of the sewer grinding station was discussed. This house will not have a basement, just a crawl space. The house will maintain a uniform setback on the east side. The run off concern was then discussed with the zoning board, with Mr. Leonard noting an open lot next to the house, with the closest house being about 75 feet from the proposed house. Mr. Leonard commented about trenching the runoff water towards the alley. This is to be a ranch house. The timeframe to build is as soon as possible. The property owner is Mr. Ohligschlager and his nephew. The variances being requested were confirmed at 10 feet instead of 20 feet in the front, and 8 feet instead of 10 feet on the side.

The board asked if more formal drawings could be made for this proposed house. And, possible some drawings for the runoff.

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

Mr. Leonard had no closing comments.

Richard Kiefer moved, seconded by William Flott, that Livingston County Zoning Case V-3-19 be approved in regard to a request in a variation in zoning regulations requirements to allow for the reconstruction of a house 10 feet instead of 20 feet from a front lot line and 8 feet instead of 10 feet from a side lot line in an R2 District, at 1902 S. Bloomington St., in unincorporated South Streator.

The board then discussed a potential request for formal plans, but since this is a variance conditions are generally not placed on the approval. The zoning board could make requests for information prior to approving the case. Drainage concerns was then discussed. This case could be tabled tonight to allow for the drainage issues and formal plans to be further addressed. Drainage issue concerns were further discussed. Is the drainage issue a concern pertaining to this variance, considering a house was once on the lot? The weight of the email comments was discussed. The voluntary presenting of formal drawings and addressing drainage concerns was commented about. How this variance request should not be approved with of the plans being provided was discussed. But, this zoning case could be tabled to allow for the additional information to be provided. Mr. Kiefer and Mr. Flott then withdrew their motion and second. Richard Runyon then moved, seconded by Richard Kiefer to table Livingston County Zoning Case V-3-19 until the next meeting of the zoning board appeals, with a request for formal drawings of the house and drainage plans. This motion was then approved by a unanimous voice vote.

Case SU-1-19 – Ifft

This zoning case is in regard to a review of a request for a special use pertaining to a proposal to develop a welding and machine shop in an AG, Agriculture, District. The subject property in these zoning cases is a 4.13 acre parcel of land, located in South Half of the Southwest Quarter of Section 19 of Avoca Township, at 11242 N – 1800 East Rd. The zoning administrator reviewed the report, exhibits and other pertinent information regard this zoning case. The zoning administrators review included comments on draft conditions that may be placed on the approval of this zoning case. The zoning board was also informed that the Livingston County regional Commission had reviewed this zoning case at their meeting on June 6<sup>th</sup>, and the planning commission recommends that this zoning be approved as it was presented to them.

Brian Ifft, 117 Parkview Dr. Forrest, IL., as the applicant and property owner presented testimony relative to this zoning case. Mr. Ifft related that this property has been in the family since 1948, with his dad getting ownership of the property in 1974. The house on the family property is his father's house and he started a welding shop on this property in a building on this property, expanding the business for a machine shop in 1980. The building is getting old, so Brian bought some of the family property and intends to start his own shop.

Just welding and fabrication shop where he does a lot of repair work for farmers. He will also do custom work as requested. He needs a building larger than the one built in 1980. The 1980 building is half machine storage.

The zoning board and Mr. Ifft discussed as to if he planned on moving out to the subject property. Mr. Ifft responded that they will consider moving out to this property in a couple of years, by building a house on the subject property. He plans on continuing the business as he family has operated it since 1980. Mr. Ifft noted the quarry operation in the area, and the local farmers a is immediate customer base. The construction on the new building is to start at the end of August. He hopes to be open in a year in the new building. Mr. Ifft explained his definition of working farmers hours. He would like the option to have up four employees. Mr. Ifft tries not to have much work stored outside.

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

Mr. Ifft had no closing comments.

William Flott moved, seconded by Richard Runyon, that Livingston County Zoning Case SU-1-19 be approved allowing for a special use pertaining to a proposal to develop a welding and machine shop in an AG, Agriculture, District, with the conditions as drafted and presented to the zoning board of appeals.

This motion was then approved by a roll call vote.

Kiefer – Yes

Runyon – Yes

Flott – Yes

Turner – Absent (Did not Vote)

Huisman – Yes

Case SU-3-15 – Review - Ziegenhorn

This zoning case is in regard to a review of a special use allowing for a campground in an AG, Agriculture, District. The subject property in these zoning cases is an irregularly shaped parcel of land, located in Southeast Quarter of Section 16 of Indian Grove Township. The zoning administrator reviewed the report, exhibits and other pertinent information regard this zoning case. The fence placement back inside the timber area was mentioned. The bath house is under construction. A copy of IDPH correspondence regarding the sewage disposal permit and what is allowed was discussed. It was mentioned that the county has a condition limit of 120 people for this site.

Steve Ziegenhorn, 20737 N. 87<sup>th</sup> Dr. Peoria, AZ., the campground developer and owner of the subject property presented testimony relative to this zoning case. Mr. Ziegenhorn remarked that he is finishing the bathrooms per state requirements, and that the state inspector has been out one time. They may be out to approve the ADA bathrooms next week. The dump stations will be put in later if needed, depending what they can do with RV's in the future.

Mr. Ziegenhorn then commented on his planned fence placement 26 to 30 feet off of the edge of the road, with a buffer zone between the fence and the road. The type of fence was then discussed with Mr. Ziegenhorn presented a diagram of the 4 rail fence that he is planning, with this fence to serve as a barrier to deter people from getting close to the road. Mr. Ziegenhorn wants a fence aesthetic to the property, as this will be a cedar fence. The fence is to run from the pond over to the septic field area, and then later further down. The area past the septic area is an open field. He has four cabins almost completed. More bathrooms will be added later after the ADA bathrooms are complete. The 3 RV's being allowed were discussed. It was confirmed that Mr. Ziegenhorn is not asking for anymore for the campground right now. Mr. Ziegenhorn related that he plans to put in 300 to 400 feet of fencing right now. Mr. Ziegenhorn hopes that the state will be out next week to approve the plumbing. Then the Champaign state inspector will also need to come and approve the occupancy. He hopes to have a state license by the end of July. A plan on returning to discuss an RV plan was discussed with Mr. Ziegenhorn willing to return in October/November to discuss his plans for next year. Mr. Ziegenhorn is okay with the current conditions for now. Mr. Ziegenhorn is ready to go as this project has been 4 to 5 years in development.

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

Mr. Ziegenhorn had no closing comments.

Richard Runyon moved, seconded by, Richard Kiefer that Livingston County Zoning Case SU-3-15 – Review be approved allowing for the continuation of a special use allowing for a campground in an AG, Agriculture, District. Livingston County Zoning Case – Review be approved allowing for the continued location of the existing , in an AG, Agriculture, District with this zoning case to be reviewed again in November to discuss next year's plans for the campground.

This motion was then approved by a roll call vote.

Kiefer – Yes

Runyon – Yes

Flott – Yes

Turner – Absent (Did not Vote)

Huisman – Yes

Case SU-4-06 – Review - Kahle

This zoning case is regard to a review of a special use for an airport (landing strip) in an AG, Agriculture, District. The zoning administrator reported that it is difficult to have the property owner attend the zoning board meetings since he is handicapped, and the applicant would like it continued without him coming to a meeting. The limited use of this air strip was discussed. The location of the airstrip in Section 1 of Germanville Township was then confirmed south of Chatsworth. A discussion om how other family members could attend a meeting then took place. The zoning administrator is to contact the applicant to see if any family member could attend a meeting.

Approval of the Findings of Fact and Decision:

William Flott moved, seconded by Richard Runyon, that the findings of fact and decision for approved cases at this June 20, 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 upcoming meeting schedules were discussed with the zoning board members.

The next meeting for the zoning board of appeals is scheduled for July 18<sup>th</sup>.

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

This meeting was adjourned at 9:30 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