

MINUTES

LIVINGSTON COUNTY ZONING BOARD OF APPEALS

Livingston County Extension Office
1412 S. Locust St., Pontiac, Illinois

Regular Meeting
7:00 p.m.

August 30, 2012

Roll call was taken.

Members Present: Michael Cornale, John Vitzthum, Richard Kiefer,
Don Thorp and Joan Huisman.

Members Absent: Howard Zimmerman and Gibs Nielsen.

ACTING CHAIRMAN:

John Vitzthum moved, seconded by Joan Huisman, to have Michael Cornale serve as acting chairman, in the absence of Gibs Nielsen. This motion to have Michael Cornale to serve as acting chairman was approved by a unanimous voice vote.

AGENDA:

Joan Huisman moved, seconded by John Vitzthum, to approve the agenda for this August 30, 2012 as it is presented. This motion was approved by a unanimous voice vote.

MINUTES:

Joan Huisman moved, seconded by Don Thorp, that the minutes of the August 9, 2012 meeting be approved as presented. This motion was approved by a unanimous voice vote.

BUSINESS:

Case SU-11-98 – Review – Galbraith

This zoning case pertains to a review of a special use permit allowing for the continued location of a mobile home on the subject property in an AG, Agriculture, District.

The subject property in this zoning case is a parcel of land located in Section 6 of Union Township, at 26739 N – 2500 East Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. This information included recent photos of this property development.

Thomas Zingrone, representing the applicant and property owner in this zoning case, presented testimony relative to this zoning case. Mr. Zingrone related that he is the care taker of the subject property. Mr. Zingrone remarked that the property development and use remains the same. Mr. Zingrone replied that he maintains the property as nice as it looks in the photos. Mr. Zingrone then mentioned that this property is not used often. Mr. Zingrone agreed that a three year extension of this special use would be appropriate.

Carol and Michael Verdun asked if anyone lived in the mobile home full time or as to if the mobile home was for occasional use. Mr. Zingrone confirmed that no one lives in this mobile home.

In his closing comments Mr. Zingrone, noted that the property is a private hunt club and private conservatory property. The Verdun's wanted to know if there would be any changes to affect the surrounding property, they were told that it would be a continuation of how the property had been used.

Joan Huisman moved, seconded by Richard Kiefer, that Livingston County Zoning Case SU-11-98 – Review be approved to allow for the continued location of a mobile home on the described property, with this zoning case being reviewed again in three years.

This motion was approved by roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Thorp	- Yes
Zimmerman	- Absent(Did not Vote)	Huisman	- Yes
Nielsen	- Absent(Did not Vote)		

Case SU-6-06 – Review – P.T. Disposal

This zoning case pertains to a review of a special use permit that allows for the location of a contractor's storage yard that allows for the storage of unrented roll off boxes on the same property as a residence, in an AG, Agricultural, District. The property in question in this zoning case is a tract of land approximately 2 acres in size located in the Northwest Corner of the Southeast Quarter of Section of Long Point Township, at 24513 N – 300 E Rd.

The zoning administrator presented his report, exhibits and other information relative this zoning case. This information included a recent photo of the unrented roll off box storage site on the subject property, which was an open area when this recent photo was taken.

Thomas Decker, 24513 N – 300 East Rd., Long Point, IL, the applicant and a property owner in this zoning case, presented testimony relative to this zoning case. Mr. Decker related that he has been in the roll off business for six years, and that business is good. Mr. Decker then stated that he would like to continue his business. The zoning board inquired about how many roll off boxes he had as part of this business. Mr. Decker related that he has a total of 24 roll off boxes. Mr. Decker then explained that he has other sites to store his roll off boxes, though he has space on the subject property to store up to 10 roll off boxes.

Mr. Thorp remarked about how the Decker’s keep their property maintained looking neat.

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

In his closing remarks Mr. Decker expressed that he would like to continue his business as he has been operating the business. Mr. Decker did not oppose returning in three years to this special use reviewed again.

Don Thorp moved, seconded by John Vitzthum, that Livingston County Zoning Case SU-6-06-Review, be approved to allow for the continued approval of a special use permit to allow for the location for a contractors storage yard, that will allow for the storage of unrented roll off boxes on the same property as a residence on the described property in this zoning case, in an AG, Agriculture, District, with this zoning case being reviewed in three years.

This motion was approved by roll call vote.

Cornale	- Yes	Vitzthum-	Yes
Kiefer	- Yes	Thorp	- Yes
Zimmerman	- Absent(Did not Vote)	Huisman	- Yes
Nielsen	- Absent(Did not Vote)		

Case SU-7-06 – Review – Vactor Manufacturing, Inc.

This zoning case pertains to a review of a special use permit that allows for the location of a contractors storage yard to allow for a service center for the repair of Vactor Trucks, in an AG, Agricultural, District.

The subject property in this zoning case is a tract of land approximately 1.85 acres in size in the Northeast Quarter of the Southeast Quarter of Section 3 of Reading Township, at 2108 Coalville Rd. The zoning administrator presented his report, exhibits and other information relative to this zoning case. Recent photos of the subject property were shown to the zoning board of appeals members.

Daniel R. Simpson, Streator, IL, representing Vactor Manufacturing as their facility's manager, the applicant in this zoning case, presented testimony relative to this zoning case. Mr. Simpson related that Vactor continues to repair used trucks on the subject property. They either repair trucks for their customers or repair used trucks for resale on this site. Mr. Simpson related that a little bit of welding takes place on the property, along with work changing hoses etc. Mr. Simpson then indicated that they also occasionally work on new units, if their main facility is bogged down with work. Mr. Simpson then indicated that they do not have any hazardous materials on the property. Mr. Simpson then explained about the staffing of them running just a day shift at this location.

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

In his closing statement Mr. Simpson expressed his appreciation to the zoning board for allowing them to use this site. Mr. Simpson commented that business is good for Vactor.

Joan Huisman moved, seconded by Richard Kiefer, that Livingston County Zoning case SU-7-06-Review be approved to allow for the continued approval of a special use permit to allow for the property described to be used for the location of a contractors storage yard/machine shop in an AG, Agricultural, District with this zoning case to be reviewed in three years.

This motion was approved by roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Thorp	- Yes
Zimmerman	- Absent(Did not Vote)	Huisman	- Yes
Nielsen	- Absent(Did not Vote)		

SU-1-11 – Review – Lemman Paint Works

This report pertains to a review of a special use permit allowing for a body shop business as a machine shop/welding shop on the subject property in an AG, Agricultural, District.

The property in question in this zoning case is a tract of land 2.34 acres in size located in the Southwest Quarter of Section 22 of Pleasant Ridge Township, at 27095 E – 1100 North Rd. The zoning administrator presented his report, exhibits, photos and other information about this special use. The property has been developed as they had indicated the property would be developed.

Kirk Leman, 127 E. North, Forrest, IL, the applicant and property owner in this zoning case presented testimony relative to this zoning case. Mr. Leman explained that they had built a body shop for paint work, body work and sandblasting. Mr. Leman indicated that they work on a little bit of everything including farm equipment, trucks, buses, cars etc. Mr. Leman said that everything is going good and that he has not had any issues. Mr. Leman in referring to one of exhibit drawings, indicated that they had added a culvert all the way across the front. He then mentioned his gravel area in front of the building. The building size was then discussed along with the well location. The building floor plan was then discussed. Mr. Leman answered that he has three full time employees and a part time secretary employed at this business. His hours of operation, 7 to 5, were then discussed.

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

Mr. Leman had no closing statement.

John Vitzthum moved, seconded by Joan Huisman, that Livingston County Zoning Case SU-1-11 – Review be approved allowing for the continuation of the special use permit allowing for a body shop business as a machine shop/welding shop on the subject property in an AG, Agricultural, District, with this special use to be reviewed again in three years.

This motion was approved by roll call vote.

Cornale	- Yes	Vitzthum	- Yes
Kiefer	- Yes	Thorp	- Yes
Zimmerman	- Absent(Did not Vote)	Huisman	- Yes
Nielsen	- Absent(Did not Vote)		

Case SU-13-00 – Review – Brand

This zoning case pertains to a review of a special use to allow for the continued location of a mobile home, in an AG, Agricultural, District. The subject property in this zoning case is a parcel of land located in the East Half of Section 27 of Odell Township, at 21288 E – 2300 North Rd., Odell. The zoning administrator informed the zoning board members that this property is currently part of a mortgage foreclosure procedure. The subject property is also currently abandoned. Recent photos of the subject property were shown to the zoning board of appeals members. The zoning board members were informed that once the property is cleared for a transaction by the financial institution foreclosing on this property it is the intent of the adjoining property owners to purchase this property clearing off the mobile home and garage located on the property, with plans to return the property to farmland.

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

Joan Huisman moved, seconded by Richard Kiefer, that Livingston County Zoning Case SU-13-00-Review, that the special use permit to allow for the location of a mobile home on the subject property in an AG, Agricultural district be rescinded.

This motion was approved by roll call vote.

Cornale	- Yes	Vitzthum-	Yes
Kiefer	- Yes	Thorp	- Yes
Zimmerman	- Absent(Did not Vote)	Huisman	- Yes
Nielsen	- Absent(Did not Vote)		

Findings of Fact and Decision:

After reviewing the drafts of the Findings of Fact and Decision, John Vitzthum moved, seconded by Joan Huisman that the Findings of Fact and Decision of the cases that the board took final action at this August 30, 2012 meeting be approved. This motion was approved by a unanimous voice vote.

Other Business:

Potential future zoning cases were discussed with the zoning board members.

The zoning board members chose to continue their current meeting night schedule into next year, even if the meetings need to begin later.

The Board was informed that their next scheduled meeting is to be held on October 4th, 2012.

Then Don Thorp moved, seconded by Joan Huisman, to adjourn this meeting. This motion was approved unanimously.

This meeting was adjourned at 7:55 p.m.

Material regarding these proceedings is on file in the Livingston County Regional Planning Commission Office at 110 W. Water St., Suite 3, Pontiac, Illinois.

Respectfully submitted,

Charles T. Schopp, Secretary
Livingston County
Zoning Administrator