

MINUTES

LIVINGSTON COUNTY ZONING BOARD OF APPEALS

Livingston County Extension Office

1412 S. Locust St., Pontiac, IL.

Regular Meeting
7:00 p.m.

December 6, 2012

Chairman Nielsen called the meeting to order and roll call was taken.

Members Present: Michael Cornale, John Vitzthum, Howard Zimmerman, Joan Huisman and
Gibs Nielsen.

Members Absent: Richard Kiefer and Don Thorp.

John Vitzthum moved, seconded by Joan Huisman, that the agenda for this meeting be approved as proposed. This motion was approved.

MINUTES:

Michael Cornale moved, seconded by John Vitzthum, that the minutes of the November 8, 2012 meeting be approved as presented. This motion was approved by a unanimous voice vote.

BUSINESS:

Case V-1-95 – Review – Charles and Sue Larsen

This zoning case pertains to a review of a request for a renewal of a variance to allow for the continued location of a mobile home on the same property as an existing residence, in an AG, Agricultural, District. The subject property in this zoning case is part of a tract of land approximately 5.22 acres in size in the West Half of Section 24 of Charlotte Township. The zoning administrator presented his report, exhibits, and other information relative to this zoning case.

Irv & Pat Wilken, 35395 E – 1100 North Rd., Chatsworth, IL, area residents and property owners representing the applicant and the property owner, presented testimony relative to this zoning case. Irv Wilken commented that this mobile home had been on the property for a number of years and occupied by a family member, that Sue Larsen's brother Rich Bowen now resides in the mobile home. Mr. Wilken related that they frequently talk with the mobile home occupants and property owners and they want to extend the variance for allowing the mobile home on the property. Mr. Wilken commented about this is a necessary thing for now, and that they keep the property looking clean and in order. Mr. Wilken mentioned that a different home may be needed. Mr. Wilken then discussed this zoning case with the zoning board, confirming that he is a neighbor and that he has employed the occupants of the mobile home and house on the subject property in the past. Mr. Wilken confirmed that this housing situation is okay with them.

No other interested parties were present to give testimony.

In the closing statement Pat Wilken remarked that they farm all around the subject property. Pat Wilken then mentioned that the subject mobile home is very old, and she questioned as to if they could upgrade the manufactured home to a newer model. The zoning administrator stated that the applicant's could come before the zoning board with a new housing proposal, of which the zoning board would review. He also noted that some changes in manufactured homes now placed on the property would be taxed as a residence because of changes in the state regulations.

Joan Huisman moved, seconded by Howard Zimmerman, that Livingston County Zoning Case V-1-95 – Renewal be approved allowing for the continued one year occupancy of a mobile home on the same property as a residence on the described property in this zoning case in an AG, Agricultural, District, with this zoning case to be continued to be reviewed on an annual basis, and that the occupancy of this mobile home be limited to family members.

The motion was then approved by roll call vote.

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

Case SU-4-04 – Review – Jay and Amy Steidinger

This zoning case pertains to a review of a request for a special use permit, which allowed for the location of a machine and welding shop, in an AG, Agricultural, District. The property in question in this zoning case is a parcel of land located in the Southwest Quarter of Section 28 of Forrest Township.

The zoning administrator informed the zoning board of appeals that Amy Steidinger had contacted the county planning commission office informing them that this business had ceased and that they had no reason to have this zoning case reviewed again. The zoning office had inspected the site and had taken a photo that just shows a farm building site, no evidence of a business operation can be seen in this recent photo.

Therefore, John Vitzthum moved, seconded by Michael Cornale, that Livingston County Zoning Case SU-4-04 – Review be approved to allow for the discontinuation of a machine/welding shop, in an AG, Agricultural, District, on the property described on this special use application.

The motion was then approved by roll call vote.

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

Case SU-5-06- Review – Lanz

This zoning case pertains to a review of a special use permit to allow for the continued location of a service occupation office and machine shop in an AG, Agricultural, District. The property in question in this zoning case is a tract of land in the Northeast Corner of Section 7 of Fayette Township, at 24798 E – 200 North Rd., Strawn, IL. The zoning administrator presented his report, exhibits and other information relative to this zoning case.

The zoning administrator noted that he had been informed that Mr. Lanz has moved the bulk of his operations to Champaign, but that a storage building would remain on the subject property. So a special use would remain on the property to allow for a building for discarded part storage.

Troy Lanz, 24978 E – 300 North Rd., Strawn, IL. the applicant and property owner regarding this zoning case, presented testimony regarding this zoning case. Mr. Lanz commented on his plans to construct a 54 X 72 cold storage building. Mr. Lanz then reviewed that they had applied for a permit for an office to house his heating and cooling company, which has since been moved to Champaign with the old office being used for storage. With the proposed shed they would bring back the old components and part them out. Part of the new shed will also be used for parking family vehicles.

The zoning board inquired as to when Mr. Lanz planned on building the proposed building. Mr. Lanz replied that he planned on building this structure in the Spring. They discussed the current outside storage of the used components. It was confirmed that a special use should be considered again, but revised.

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

Mr. Lanz had no closing comments.

The motion was then approved by roll call vote.

Joan Huisman moved, seconded by Michael Cornale, that Livingston County Zoning Case SU-5-06 – Review be approved allowing for the subject property to be used for the continued location of a building to used for the storage and dismantling of used heating and air conditioning components that are part of the applicant’s business, with the condition that this zoning case be reviewed again in three years, unless the proposed building is not constructed within one year, at which time the zoning administrator can administrate the review of this zoning case.

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

Case SU-5-04 – Review- Crouch

This zoning case pertains to a review of a special use permit that allows for a junk yard/recycling center, with the subject property being 1.59 acres of property located in Section 15 of Pontiac Township, at 15355 E – 1830 North Road, Pontiac.

No representative of the applicant was present at this meeting.

The zoning administrator suggested that he contact the applicant to discuss amending this proposal to reflect the actual property use, with this zoning case to be reviewed by the zoning board of appeals at their February 2013 meeting. The use of the property was discussed and the business operations were discussed.

John Vitzthum moved, seconded by Howard Zimmerman, that Livingston County Zoning Case SU-3-04 be tabled until the February 2013 zoning board of appeals meeting. This motion was approved unanimously by a voice vote.

Other Business:

The committee discussed the Dale Dotterer bulk food proposal. Mr. Dotterer was present at this meeting, and he remarked to the board about his potential business development. He commented on the description of bulk food stores. Mr. Dotterer mentioned that they now do not plan on building next to their home, but at an existing building a quarter mile away, and the health department is to review this site. There is an office in this existing warehouse building that they are considering converting into a bulk food store. They propose to sell bulk foods from the building, which will also include a deli with meat and cheese.

The zoning board inquired as to the type of store being proposed. Mr. Dotterer commented further about the deli, and the grocery store style for the bulk foods. The bulk food would be in large containers and in smaller containers also. ADA requirements were discussed, including a potential need to construct new restrooms, and to look at access to this building so that they are handicapped accessible. The water and septic systems will need to be evaluated. Mr. Dotterer explained that the building was a Moorman's feed warehouse and that it has adequate parking. Mr. Dotterer explained that he plans on using a 40 X 60 area of the building for his business. The remaining of the building is used for storage of farm equipment. A few cattle remain around the building. A solid wall will separate the planned space from the farm related storage area. The potential use of the business was discussed. Mr. Dotterer commented about the success these types of businesses have in Ohio, where he came from. They plan on 2 to 3 employees to start out. The timeframe of starting this business was discussed. He discussed delays in their plans, and he commented about how he had surgery and started a new job, so they now plan on looking at opening the store in the Spring. In reference to the photos of similar stores from Arthur they would be looking at a store similar to the Shady Crest store. Food would be supplied by Dutch Valley. Mr. Dotterer indicated that he would be looking at products that are more of a specialty thing as compared to Dave's Supermarket in Fairbury.

The zoning board of appeals came to a consensus to review this proposal as a special use. The zoning administrator and Mr. Dotterer are to discuss this proposal for the special use application.

Findings of Fact and Decision:

After reviewing the proposed draft detail of the Findings of Fact Decision for this meeting, Howard Zimmerman moved, seconded by John Vitzthum that these Findings of Fact and Decision of the December 6, 2012 meeting be approved as proposed. This motion was approved by a unanimous voice vote.

The Board was informed that their next regularly scheduled meeting is scheduled for January 10th, 2013, at 7:30 pm in the remodeled Livingston County Historic Courthouse.

Michael Cornale moved, seconded by Joan Huisman., that the meeting be adjourned. This motion was approved.

This meeting was adjourned at 7:50 p.m.

Material regarding these proceedings is on file at the Livingston County Regional Planning Commission Office, at 112 W. Madison St., Pontiac, Illinois.

Respectfully submitted,

Charles T. Schopp, Secretary
Livingston County Zoning Administrator