

## MINUTES

### **Members Present**

Mr. Washington, Mr. Tripp, Mr. Liehr, Ms. Polk, Mr. Mulcahy, and Ms. Evans

### **Members Absent**

Mr. Olthoff, Mr. Einfeldt, Mr. James, Mr. Vickery, Mr. Reid, and Mr. Tholen

### **In Attendance**

- **Board Members**

Mr. Bossert, Mr. Byrne, and Mr. Wheeler

- **Department Heads**

None

- **Media**

Present

### **1. Call to Order/Roll Call**

The meeting was called to order by the Committee Vice-Chairman, Mr. Washington, at 9:00 a.m.  
Quorum present.

### **2. Public Comment**

- **Cynthia Sidener commented on ZBA Case #15-15.**
- **Dana Meyer commented on ZBA Case #15-15.**

### **3. Approval of Minutes – November 18, 2015 and January 20, 2016**

**Mr. Tripp made a motion to approve the minutes, and Mr. Byrne seconded it. Motion carried with a voice vote.**

### **4. Building**

- **Building Report – January 2016**

Delbert Skimerhorn stated that in January, the Planning Department and the Building Division issued 18 building permits which totaled \$2,806 for residential, one agricultural, one commercial, and one industrial. The total permits issued for the month were 21, with fees of \$14,609 collected.

**Mr. Byrne made a motion to approve the Building Report and Ms. Evans seconded it. Motion carried with a voice vote.**

### **5. GIS**

- **Hiring of GIS Technician/Intern**

Mr. Skimerhorn stated that, last month, they laid out a plan to the committee on how they were going to upgrade the county GIS system and revamp the department. He provided the committee with a job description for the GIS Technician/Intern. They recently discovered that Elmhurst College offers internship programs in the GIS field, and they are currently exploring as to whether getting an intern would be more beneficial than hiring a technician at this time, or if they should go forward with hiring the technician. The job description itself will work for either.

Mr. Bossert reminded the committee that the entire project, hiring staff, as well as the upgrades on equipment, is coming out of the GIS fund, a separately funded special purpose fund.

**Ms. Polk made a motion to allow Mr. Skimerhorn to proceed with the investigation regarding a GIS intern, and Mr. Liehr seconded it. Motion carried with a voice vote.**

## **6. Zoning**

- **ZBA Case #15-14; Request for a Variance to Section 121-99.g.1 (Front Yard Setbacks) on a Parcel Generally Situated in Section 12 of Essex Township. The Petitioner is Glenn Kirchner, Property Owner and Applicant**

Mr. Skimerhorn stated that this property is located in the northeast corner of Essex Township, Section 12. The property is 33.71 acres in size, and it's zoned A-1 Agriculture. In September, Mr. Kirchner was cited for constructing two wind towers without a permit. The one on the west side of the property is 30 feet tall and sits 10 feet from the road. The one on the east side is 25 feet tall and approximately 15 feet from the road. They informed Mr. Kirchner that any accessory structures had to be at least 50 feet back from the road, and that he either needed to move them or request a variance. In addition to the two wind towers being constructed without a permit, there were no plan reviews, or inspection or plans for footings, so they have no idea how they're secured. Per Mr. Kirchner's testimony, the purpose of the towers is to provide water to 16 sheep in the event of a power outage. The tower on the western end sits over the top of a well, and the water is pumped about 300 feet to the north to the sheep. The County Health Department has no record of this well. Mr. Kirchner testified that it's been there since the 1970's, but there is no record of it, so all they can do is go by his testimony that it's there. Mr. Skimerhorn spoke with the Health Department, and it's not uncommon for them not to have records from the 1960's and 1970's. If approved, Mr. Kirchner intends to install a sand point well under the eastern tower.

Ms. Evans asked if one tower was sufficient to pump the water that's needed.

Mr. Skimerhorn stated that Mr. Kirchner claims not.

Ms. Evans asked why Mr. Kirchner constructed it so close to the road.

Mr. Skimerhorn stated Mr. Kirchner's testimony was because the well was there.

Mr. Skimerhorn stated that public hearings were held on November 16, 2015, December 21, 2015, and January 18, 2016. There were no objectors present. On January 18, a motion was made to deny the variance request, and the vote was three ayes and one nay to deny. However, according to Zoning Board rules, they must have four concurring votes to forward a recommendation to this committee. Since there were not four concurring votes, this request comes to the committee without a recommendation. Also, as it had no recommendation, the Zoning Board did not make any findings of fact, so this committee will need to do that as well.

Mr. Skimerhorn reviewed and discussed each finding of fact with the committee.

**Mr. Tripp made a motion to concur with the Zoning Board of Appeal's findings as deliberated, and Ms. Evans seconded it. Motion carried with a voice vote.**

- **ZBA Case#15-15; Request for a Rezoning from R1-Single Family Residential District to A2-Agricultural Estates District on a Parcel Generally Situated in Section 16 of Limestone Township. The Petitioners are Gene R. & Cynthia L. Sidener, Property Owners and Applicants**

Based on a complaint from a neighbor, the Sideners were cited on September 3, 2015, for keeping a truck over one ton capacity on the property. On October 26, 2015, they submitted an application to rezone the property from R1 to A2. A2 zoning does allow trucks over one ton capacity, provided they are kept inside a closed building. Mr. Sidener testified that he kept the truck on the property since the pole barn was built in 2006, and the truck is kept inside the pole barn. He also testified that the truck is a tanker, and that it arrives on the property empty, with only residue in the tank. The tanker hauls antifreeze, placard # 3082, a Class 6 hazardous material, brake fluid, which was never discussed as to what its' placard number was, and styrene, placard #2055, a Class 3 hazardous material. Public hearings were held on November 16, 2015, December 21, 2015, and January 18, 2016. There were four objectors present at those meetings. At the January 18 meeting, a motion was made to approve the re-zoning request. The vote was one aye and three nays to approve. As four concurring votes are required, this comes to the committee with no recommendation.

Mr. Skimerhorn reviewed and discussed each finding of fact with the committee.

**Mr. Liehr made a motion to table this matter to the next PZA Committee meeting, and Mr. Tripp seconded it. Mr. Bossert abstained from voting, and the motion carried with a voice vote.**

Mr. Tripp requested that the State's Attorney, or his representative, be present at the next PZA Committee meeting to assist the committee with this issue.

## **7. Transportation**

Geoff Olson stated that, the last time he was before the committee, he had told them that they had received six new buses for rural transit in September. They currently have three buses that are waiting for disposal from IDOT, who gives the approval. Right now, those buses are just sitting there, so basically decomposing as they're sitting. SHOWBUS takes them out periodically just to charge the batteries and run them. Mr. Olson is asking the committee for approval to modify the lease agreement for those three buses that would essentially remove the Kankakee County boundary restriction on those buses. SHOWBUS would be leasing them outright then until the disposal is approved by IDOT. It's already been a year or more, and they don't need the buses. This would remove part of the financial burden from the Rural Transmit grant that they receive, and not just insurance, but maintenance and repair.

**Mr. Bossert made a motion to modify the lease agreement to permit disposal of three buses, and Mr. Liehr seconded it. Motion carried with a voice vote.**

## **8. Old Business**

## **9. New Business**

Ms. Evans wanted to inform the committee about the Easter Seals Telethon that takes place annually, and this year, it will be held at the Rec Center on April 16, 2016, from 9:00 a.m. until 1:00 p.m. They are looking for volunteers, and encourage any and all involvement.

## **10. Adjournment**

**A motion to adjourn the meeting at 10:08 a.m. was made by Mr. Byrne, and seconded by Mr. Liehr. Motion carried.**

Planning, Zoning, and Agriculture  
Committee Meeting  
February 17, 2016

George Washington, Committee Vice-Chairman  
Diane Owens, Executive Coordinator