

**Members Present**

Mr. Olthoff, Mr. Tripp, Mr. Bertrand, Mr. James, Mr. Martin, Mr. Washington, Mr. Scholl, Mr. Whitten, and Mr. Hess

**Members Absent**

Mr. Stauffenberg, Ms. Hertzberger, and Mr. Marcotte

**In Attendance**

Mr. McLaren, Mr. Bossert, Mike Van Mill, Delbert Skimerhorn, Mike Lamme, Eric Sadler, Don St. Germaine, Andy Pristach, Keith Runyon, Brenda Sadler, John Bevis, James Taylor, Marc Wilson, and Don Pallissard

**1. Call to Order and Roll Call**

The meeting was called to order by the Chairman, Mr. Olthoff, at 9:00 a.m. Quorum Present.

**2. Public Comment**

Keith Runyon spoke regarding the intervention on the Aqua Illinois Matter.

**3. Approval of Minutes- May 10, 2006**

A motion to approve the minutes from May 10, 2006 was made by Mr. Bertrand and seconded by Mr. Tripp. Motion carried.

**4. Zoning**

• **ZBA Case #06-03**

Mr. Van Mill stated that this is a request for a variance to Section 4.04A regarding the establishment of an accessory structure without the establishment of a primary structure on the property. The parcel is generally situated in Section 12 of Pembroke Township. The property consists of 5 acres. The applicant wishes to construct a 12X24 outbuilding for the storage of materials that would be used in the preservation of the property. After deliberations, the Zoning Board of Appeals recommended granting of the variance 7 to 0. There were no objectors present.

A motion to approve ZBA Case #06-03 was made by Mr. Bertrand and seconded by Mr. James. Motion carried.

• **ZBA Case #06-04**

Mr. Van Mill stated that the applicants, Allen and LaVera Riley, are requesting a variance of Section 4.04C of the Zoning Ordinance, regarding the location of an accessory structure to be located in front of the primary residence on property situated in Section 15 of Rockville

**Note: These transcribed minutes are a synopsis of information derived from the meeting. If you need verbatim information, please contact the County Clerk about obtaining a recorded tape.**

Township. The parcel in question is 20 acres in size. The property owner wishes to remove an existing manufactured home and construct a permanent residence to the rear of existing accessory structures. There were no objectors present and after deliberation by the Zoning Board of Appeals they recommended approval 7 to 0.

A motion to approve ZBA Case #06-04 was made by Mr. Whitten and seconded by Mr. Tripp. Motion carried.

- **ZBA Case #06-05**

Mr. Van Mill stated that the applicants, Hyung and Kuiuk Kim are requesting a variance to Section 4.09B of the Zoning Ordinance regarding the distance between driveways and its distance from an intersection. Said parcel is 220 feet wide and 660 feet deep and consists of 6.3 acres. The parcel is located in Section 26 of Ganer Township. The issue here is that there is a driveway that is apparently being used that is too close to the intersection and the applicants wish to have a variance in order to allow the driveway without being in a zoning violation. There were two members of the public present who were adjoining property owners and spoke favorably. There were no objectors present. After deliberation by the Zoning Board of Appeals they recommended approval 6 ayes to 1 nay.

A motion to approve ZBA Case #06-05 was made by Mr. Whitten and seconded by Mr. Martin. Motion carried.

Mr. Martin asked about the two driveways. Can the committee do anything about those two driveways?

Mr. Van Mill stated that part of the dilemma is that originally when the house was put on the property there were no roadside ditches. Previous owners would drive over the grass into their yard, which is the location that variance would be granted for. Various owners of the property have been cited in the past for this over the last several years for zoning violations. The current property owners have owned the property for two and a half months. They became aware of the situation and are trying to rectify the problem. The second drive is gated and is not being used.

- **Policy Concerning Permits when an Apparent Violation Exists**

Mr. Van Mill stated his department has found in recent weeks a number of similar situations across the County that have arisen and a request has been sent to the State's Attorney's Office for direction as well, in recent days.

**Note: These transcribed minutes are a synopsis of information derived from the meeting. If you need verbatim information, please contact the County Clerk about obtaining a recorded tape.**

Mr. Van Mill stated that in 1996 Kankakee County passed a new zoning ordinance. Part of that ordinance states that to have a residence in the agriculture district a person either needs to have 20 acres of land or needs to be actively engaged in farming of that property.

Mr. Van Mill stated that the scenario that is here today is basically where somebody in 1996 may of had a 60/70 acre parcel with the farmstead, the farmstead was divided off below the 20 acres creating a zoning violation and then sold off the remaining properties. The situation is what should be done with the property that is now in a zoning violation.

Ms. Gorski stated that she would like a list of specific questions on how she should handle this.

Mr. Hess stated that the person who purchased the 20 acres should not be penalized.

Mr. Washington stated that regardless of what happens with the other parcels, the County should not hold the 20 acre parcel hostage.

Mr. Van Mill stated that a very specific question that he could ask the State's Attorney's Office is, is there a way of reviewing any deeds that go into the Recorder's Office for zoning compliance prior to recordation.

## 5. Solid Waste

## 6. Transportation

- **MPO- IDOT Contract**

Mr. Lammey stated that since 1983 Kankakee County has been a recipient of MPO dollars from IDOT. A number of people in the Kankakee County Planning Department work under this grant. It has just been preauthorized for the next six years at a higher level than it ever has been. This is here today to authorize the County Chairman to sign the contract.

A motion to approve the MPO- IDOT Contract was made by Mr. Whitten and seconded by Mr. Washington. Motion carried by a roll call vote of 10 ayes and 0 nays.

- **Rural Transportation Annual Application**

Mr. Lammey stated that this is done every year. This application is for federal transportation money for the rural transportation service, which SHOWBUS currently operates.

**Note: These transcribed minutes are a synopsis of information derived from the meeting. If you need verbatim information, please contact the County Clerk about obtaining a recorded tape.**

Mr. Lammey stated that this item will go to Finance on Thursday because it will have a local share component. The local share is \$46,000.00, of which \$6,000.00 has been historically raised from Townships and Towns doing fundraising.

A motion to approve the Rural Transportation Annual Application was made by Mr. Martin and seconded by Mr. Tripp. Motion carried by a roll call vote of 10 ayes and 0 nays.

Ms. Gorski stated that her office was asked to review this contract. This contract is considerably different from last years, but not unlike the other contracts that her office has received. There are certain provisions in the contract that the County has the right to opt out of. Some of the key things that she has a problem with after her review is where the contract refers to Intercity. She thinks that the County should try to opt out because there is a provision that the County can opt on some of the provisions in the contract. The other thing was the dollar amount of the County's contribution.

Mr. Lammey stated that on Thursday he is going to ask the Finance Committee to cap the program at \$40,000.00 a year. There are a number of people that he thinks should be paying for a piece of this.

Ms. Laura Dick, representative for SHOWBUS, stated that in the grant there is no allocation for Intercity in Kankakee. In the other Counties that this applies to there is Intercity money, but not here in Kankakee.

## **7. Planning**

## **8. Other**

## **9. Executive Session- 5 ILCS 120/2(c)(3)- Interviews**

A motion to go into executive session was made by Mr. Whitten and seconded by Mr. Tripp. Motion carried by a roll vote of 10 ayes and 0 nays.

A motion to come out of executive session was made by Mr. Whitten and seconded by Mr. Martin. Motion carried.

## **10. Old/New Business**

Mr. Scholl stated that at last month's meeting the Committee voted to act as interveners with respect to Aqua Illinois. His primary concern with that is this is something that should pertain to Bradley, Bourbonnais, and Kankakee. An

**Note: These transcribed minutes are a synopsis of information derived from the meeting. If you need verbatim information, please contact the County Clerk about obtaining a recorded tape.**

Planning, Zoning and Agriculture  
Committee Minutes  
May 23, 2006

intergovernmental type of action would be good. The metropolitan area should be part of this.

Mr. Whitten asked if the County is working on a moratorium on the land around the 6000 Interchange. He would like this to be on the next agenda.

Mr. Van Mill stated that most of the land will be annexed into the Village of Bourbonnais.

Mr. Van Mill stated that about 60 days ago, Dave Tyson requested approval of the Final Phase of Bordeaux Estates Subdivision asking for conditional approval based upon getting the sewer from the Village of Bourbonnais. Dave Tyson contacted Mr. Van Mill yesterday and informed him that Mr. Karlock has retained the services of a local attorney who was supposed to be making the end roads with the Village of Bourbonnais. Unfortunately, for personal matters of the attorney he was unable to get around to having any kind of discussions with the Village of Bourbonnais, and was wondering if there was any kind of possibility of extending for another 60 days in order for them to continue with that discussion. It will be on the next agenda, he just wanted to make the committee aware of this matter.

#### **11. Adjournment**

A motion to adjourn was made by Mr. Whitten and seconded by Mr. Washington at 10: 28 a.m. Motion carried.

William Olthoff, Chairman

Stephanie Jackson  
Executive Coordinator

**Note: These transcribed minutes are a synopsis of information derived from the meeting. If you need verbatim information, please contact the County Clerk about obtaining a recorded tape.**