

**Members Present**

Mr. Stauffenberg, Mr. Olthoff, Mr. Tripp, Mr. Bertrand, Ms. Hertzberger, Mr. James, Mr. Martin and Mr. Scholl.

**Members Absent**

Mr. Washington.

**In Attendance**

Mrs. Lee, Mr. Whitten, Mr. Nicholas, Mike Van Mill, Mike Lammey, Delbert Skimmerhorn, Brian Billingsley, Eric Sadler, Gary Preston, Mike Finnegan, Brenda Gorski, Rich Howell Glen Barmann, Esq., William Smith, Esq.

**1. Call to Order**

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

**2. Public Comment**

Rich Howell – Bridal Wood Subdivision.

**3. Approval of Minutes**

A motion was made by Mr. Olthoff and seconded by Mr. Martin to approve the minutes of the May 17, 2004 meeting. Motion carried.

**4. Building**

Gary Preston, Building and Zoning Division Manager advised that he have had the opportunity to review the various codes and felt that comprehensive amendments to the Kankakee County Chapter 5 Buildings and Building Regulations are necessary for the following reasons:

- BOCA (Building Officials & Code Administrators) transformed, along with other recognized national building codes, to form the International Code Council (ICC).
- Many new products and technologies have entered the market.
- According to the Insurance Services Office, Inc. (ISO), the current adopted building code is more than three (3) years old.
- Many surrounding municipalities have already adopted the ICC codes.
- The new ICC Building Code is more user-friendly and easier to administer and interpret.

It was further advised that the Kankakee County Board of Examiners and Appeals will be conducting a work session on June 17, 2004 to initiate the comprehensive amendment to Chapter 5 of the County Code.

**5. Zoning**

ZBA Case #03-09

The committee reviewed ZBA Case #03-09; request for rezoning from A-1 Agriculture District to R1-Single Family Residence District, on a parcel generally situated in Section 08 of Limestone Township. The petitioner is Homestar Bank, property owner and applicant.

Mr. Billingsley gave an overview of the case. The ZBA recommended that the rezoning be denied by a vote of 4 ayes, 1 nay and 1 abstain.

Mr. Billingsley distributed exhibits and various information to the Committee for review. Since the Committee did not have time to digest this information, they felt that a recommendation could not be made at this time.

A motion was made by Mr. Scholl and seconded by Mr. Tripp to table this issue for one (1) month in order to review and digest the information presented. Motion carried.

#### ZBA Case #04-06

The Committee reviewed ZBA Case #04-06; request for a rezoning from A1-Agriculture District to I1-Light Industrial District, on a parcel generally situated in Section 29 of Yellowhead Township. The petitioner is Homestar Bank Land Trust 1032, property owner and applicant.

Mr. Billingsley gave an overview of the case. The ZBA recommended that the rezoning be approved by a vote of 7 ayes and 0 nays.

A motion to agree with the findings of the ZBA was made by Mr. Martin and seconded by Mrs. Lee. Motion carried.

## **6. Planning**

### Vacant Lot Study

Mr. Van Mill said he had previously distributed an updated copy of the Kankakee County Vacant Lot Analysis Working Paper Technical Study #5 for review. The Committee had a month to review this analysis and today was merely to see if there were any questions. A presentation of what the vacant lot study entails will be presented at the next meeting on June 21, 2004.

### Amendment to the Kankakee County Regional Planning Commission 2004 Work Program – Community Development Subcommittee

Mr. Van Mill said that on an annual basis the Regional Planning Commission would adopt an annual work program and the County Board ratifies that work program by resolution, typically, in October. With the announcement of the grant for mitigation planning that will be awarded from the Illinois Emergency Management Agency, the Community Development Subcommittee of the Regional Planning Commission has identified it as a new work program for this year and has made a recommendation to the full Commission to add this to the 2004 work program. This is forwarded from the full Regional Planning Commission for consideration and adoption by the full County Board recognizing that the Regional Planning Commission and the Subcommittee will be heading up this planning process.

A motion was made by Mrs. Lee and seconded by Mr. Bertrand to approve. Motion carried.

## **7. Old/New Business**

Ms. Hertzberger brought up an old issue regarding the recording of the Plat Act. As an update, Ms. Hertzberger reminded the Committee that previously they had discussed recording a copy of the Plat Act with every vacant land purchase so

people knew that this Act existed and wouldn't automatically think that they could build on something or get the zoning changed. This issue had gone to the Assessor, County Clerk, Recorder and Treasurer Committee, then it came back to this Committee, but nothing has ever been acted upon.

At this time, Ms. Hertzberger wanted the minutes to reflect that the Plat Act issue was again discussed and also, have a motion to have the State's Attorney look into this issue to see if something could be enacted.

Mr. James advised that he had followed up on the problems of this issue and had obtained an adopted resolution from Ford County. He also explained about the one page Affidavit that has to be recorded.

Mr. Van Mill said that there is one that the County has in place.

A motion was made by Ms. Hertzberger and seconded by Mr. James to have the State's Attorney's office to check into adding the recording of an Ordinance requiring the Plat Act to be presented at every recording of a deed. Motion carried.

Mr. Scholl made a suggestion as to the status of school boards, supervisors and subdivisions with differing information as to why they do not respond. He mentioned that it may be helpful to set up a special meeting and send an invitation to all schools and planning departments to iron out any problems and make clear to them on how to respond to specific proposals within their districts and feed this information to the Committee members so more intelligent decisions can be made.

Mr. Martin agreed with Mr. Scholl and said this was a good idea and further expressed that this invitation should also be extended to the underlying township road commissioners and supervisors.

Ms. Hertzberger also agreed and said the invitation should be extended even further to fire departments, health department, etc.

Mr. Stauffenberg felt that all ideas were good ones.

Mr. Van Mill said that he would look at the list and make a comprehensive proposal.

## **8. Adjournment**

A motion was made by Mr. Martin and seconded by Mr. Olthoff to adjourn the meeting at 10:08 a.m. Motion carried.

Jim Stauffenberg, Chairman

Chris Richardson  
Administrative Assistant