

**Members Present**

Mr. Olthoff, Mr. Stauffenberg, Mr. Bertrand, Mr. Hess, Ms. McBride, Mr. James, Mr. Marcotte, Mr. Scholl, Mr. Tripp, Ms. Hertzberger, Mr. Washington, and Mr. Whitten

**Members Absent**

**In Attendance**

Mr. Kruse, Mr. McLaren, Mr. Whitis, Ms. Bernard, Rev. Wilson, Delbert Skimerhorn, Greg Deck, Michelle Sadler, John Bevis, Keith Runyon, Jim Greenstreet, Leigh Marcotte, and Don Pallissard

**1. Call to Order**

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

**2. Public Comment**

Greg Deck spoke regarding ZBA Case 07-16.

Keith Runyon spoke regarding the FEMA Survey.

**3. Approval of Minutes**

A motion to approve the minutes of August 29, 2007 was made by Mr. Whitten and seconded by Mr. James. Motion carried.

**4. Zoning**

• **ZBA Case 07-12**

Mr. Skimerhorn stated this is for an application for rezoning by Paul and Scott Grise. The petitioners wish to rezone from R-1 Residential to RE- Rural Estate on a 2.65 acre parcel that is being divided out of an 80 acre parcel located on the east side of Sycamore Road nearly one half mile north of 7000 E Road. The 2.65 acre parcel is immediately south of the existing farmstead, it has 350 feet of frontage and 330 feet of depth. The site is currently in agriculture production. The Zoning Board of Appeals voted 6 ayes to 0 nays to approve the rezoning, and there were no objectors present.

A motion to approve the rezoning was made by Mr. Stauffenberg and seconded by Mr. Whitten. Motion carried.

• **ZBA Case 07-16**

Mr. Skimerhorn stated this is a request by Cynthia J. Mills and Mary Judith Kordik, owners and applicants, for a variance to Section 121-281.C of the Zoning Ordinance in regards to the location of an accessory structure. Prior to the creation of Dutch Valley Estates, the parcel was already in existence and the house and garage were already in place. The old road use to come straight down Cul-de-sac into the property and back out. At that time, the garage was built to the side of the house. Since that time, the Subdivision was built bringing the road in along side of the house making the garage in the front yard. The property owners are asking for a variance to expand the back of the garage and allow the garage to stay in the front yard. The property is within a mile

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and a half of Grant Park. The County received a letter of support from the Village of Grant Park. There were no objectors present at the Zoning Board of Appeals Hearing, and the Zoning Board of Appeals voted 6 ayes to 0 nays to approve the variance.

A motion to approve the variance was made by Mr. Hess and seconded by Mr. James. Motion carried.

**5. Subdivision**

**6. Solid Waste and Environment**

**7. Transportation**

**8. Other**

**• Intergovernmental Agreement Between County of Kankakee and Kankakee County Soil and Water Conservation District**

Mr. Skimerhorn stated since January 2001, the Planning Department has been paying the Soil and Water Conservation District \$3,000.00 a year for services such as natural resource inventory reports, site assessments, LESA evaluations, and Stormwater Assessments on various projects and properties. Recently, the Planning Department realized the resolution approving this ended in November 2001. However, the Planning Department has been paying the Soil and Water Conservation District up until now for their service. The Planning Department would like to continue the service have a resolution that would retroactively approve the payments that have already been made.

**Original Motion**

A motion to approve was made by Mr. Whitten and seconded by Mr. Scholl.

Mr. Skimerhorn stated the Planning Department would like to put a stipulation into the new resolution approving the 2008 program that it renews every year unless action is taken by the County Board to dissolve.

Mr. Whitten agrees with that.

Mr. Scholl has reservations with that stipulation.

Mr. Scholl withdraws his second.

Mr. Stauffenberg seconded Mr. Whitten's motion.

**Discussion on the Motion**

Mr. James stated he thinks the County has been doing this long enough and it is time to take a long hard look at it and discontinue it.

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Mr. Skimerhorn stated last year, or the year before, that the County Board approved the NRI Reports for all rezonings and subdivisions, which is provided to the County by the Soil and Water Conservation District. That report is paid for by the applicants. What this agreement is for is properties, sites, and projects that do not fall into the other categories. The Planning Department could pay for these reports on an individual basis. However, he thinks the County is getting a really good value for the amount of money the County pays the Soil and Water Conservation District. The Soil and Water Conservation District is used very frequently, and are always available for questions and technical support.

Mr. Scholl stated the Soil and Water Conservation District has benefited the citizens in the western part of the County. His concern is that something dealing with monetary expenditures should be renewed annual.

Mr. James would like to find out what the real cost is before the County gives the Soil and Water Conservation District more money. He thinks the County should reconsider how this is being done.

Mr. Stauffenberg would like Mr. Howell to come to the next PZA Meeting to discuss this matter.

Mr. Scholl stated this is a calendar year program we are paying for. He suggested paying for the remainder of this year and have a stipulation that when the Soil and Water Conservation District petitions next year, all the comparables should be brought forward at that time.

Mr. Skimerhorn stated the contract follows the County's Fiscal Year.

#### **Amendment to the Motion**

Mr. Scholl made an amendment to the motion to pay for services from 2001 through 2007 and when the contract is up for renewal, the cost data will be presented and elected on at that time. The amendment was seconded by Ms. McBride.

#### **Discussion on the Amendment**

Ms. Hertzberger asked if the Soil and Water Conservation District has been paid since 2001.

Mr. Olthoff stated they have been paid. The resolution will just cover what has been done in the past. It will cover the year 2001 through 2007 on the payment of \$3,000.00 each year to the Soil and Water Conservation District and 2008 will be discussed at the next PZA Meeting.

Mr. Tripp stated that he could see having a resolution stating the County will pay for the remainder of the Fiscal Year 07.

Mr. Skimerhorn stated the only resolution that the Planning Department has on this matter started January 18, 2001 and went through November 30, 2001.

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Mr. Olthoff stated a new resolution would adjust that date. The State's Attorney's Office will draft the resolution so that it will be correct.

**Vote on the Amendment**

Amendment carried.

**Vote on the Motion with the Amendment**

Motion carried by a roll call vote of 13 ayes and 0 nays.

• **Appointment of Historical Preservation Member**

A motion to appoint John Adams to the Historical Preservation Commission was made by Mr. Bertrand and seconded by Mr. Hess. Motion carried.

**9. Old/ New Business**

Mr. Bertrand asked what is being done with FEMA in terms of Minnie Creek.

Mr. Skimerhorn stated he did not know.

Mr. Kruse stated FEMA and the County have an Intergovernmental Agreement to revisit the flood plane issue with GIS, which was passed a few months ago. The information is being updated with FEMA. Once that information is updated, the County will have a better idea and understanding of what needs to be look at as far as where the flood plane is located. That is in the works, the County is just waiting for that information from FEMA, which should be forthcoming sometime in the next few months.

Ms. Hertzberger stated that she and Mr. Skimerhorn had a couple discussions on this. The FEMA maps that are going to be done through GIS won't put the flood planes on there unless a study has been completed. The study will cost the County lots of money. The part of the flood plane the County is concerned about has already been studied. She doesn't know why DNR cannot request that FEMA put that study on those maps, since the area has already been studied. She thinks that the County should check with DNR to make sure that particular study that has already been done is put on the maps.

Mr. Olthoff asked if Mr. Kruse could check into that.

Mr. Kruse stated it may actually be going on the map from what he is hearing. That part has been studied, better information is available for the map, and that will actually determine on both sides what is going on. The flood plane elevations will be determined and that is where everything else will come into play. It is very expensive to do the studies to determine the rest of the flood plane. He thinks when the updated information is on the map it will help everything.

Mr. Olthoff stated even if that is done and the County had the designation if it is mitigated by the Developer, does that eliminate the issue or is it still there?

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Mr. Kruse stated there may be some misunderstandings about what the flood plane does. It does not eliminate any development in the flood plane. A permit has been issued by DNR in a flood plane. DNR has determined the area to be a flood plane. FEMA is actually the organization that gives the insurance in the flood plane. However, permits are needed in order to go about any kind of construction. So it doesn't eliminate any kind of construction.

Mr. Olthoff stated if the topography is addressed, then the permit can still be obtained.

Mr. Kruse stated yes.

Ms. Bernard asked if the information that DNR has in regards to elevation has been sent to FEMA?

Mr. Kruse stated he believe FEMA may be aware of it. He will check into it and find out.

Ms. Bernard stated it wouldn't be a bad idea if the County sent a formal letter to FEMA.

## **9. Adjournment**

A motion to adjourn the meeting at 9:30 a.m. was made by Mr. Whitten and seconded by Mr. Marcotte. Motion carried.

William Olthoff, Chairman

Stephanie Jackson, Executive Coordinator