

Planning, Zoning, and Agriculture  
Committee Meeting  
December 26, 2006

**Members Present**

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

**Members Absent**

None.

**In Attendance**

Mr. McLaren, Ms. Bernard, Mr. Yates, Mike Van Mill, Delbert Skimerhorn, Erik Rayman, Mike Lammey, Donna Shehane, Rich Howell, Leigh Marcotte and Sarah Billadeau.

**1. Call to Order**

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

**2. Roll Call**

**3. Public Comment**

None.

**4. Approval of Minutes - November 28, 2006 & December 13, 2006**

A motion to approve the minutes of November 28, 2006 and December 13, 2006 was made by Ms. McBride and seconded by Mr. James. Motion carried.

Discussion

Mr. Whitten – On the granting of the shingles and the motion that they denied at the previous meeting, they put the two (2) motions together and Mr. Whitten felt that this issue should be discussed further.

Mr. Olthoff suggested that this issue be discussed under “Old Business”.

**5. Zoning**

• **ZBA Case #06-19**

Relative to an amendment to the text regarding the following section of the Kankakee County Zoning Ordinance. Additions: Section 6.03.DD (Special Uses in the A1-Agriculture District): Research facility for domesticated animals and livestock. The petitioner is Kankakee County.

Mr. Van Mill addressed this issue and said that the Planning Department has been working with helping an existing company. They have

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employees and they are proposing to do an expansion to their facility. However, when they looked at their current zoning ordinance, it only allows for research facilities to be in an industrial district. As the Planning Department took a look at the use that they wanted to pursue, they believed that going industrial in that location was not the best way to go. As a department they believed that amending the Zoning Ordinance in order to allow as a special use (a use similar to what this company does) in the agricultural district was the prudent way to go. Therefore, they proceeded with the zoning case (Mr. Skimmerhorn represented the Planning Office) and after deliberation, the Zoning Board of Appeals recommended unanimously to approve the amendment to the Zoning Ordinance. Mr. Van Mill further advised that this does not give the blessing to go ahead, but it does allow them to apply and if the County Board decides their proper use, then they can proceed with that expansion. Otherwise, it could be denied and they will have to continue with what they have.

A motion to approve ZBA Case #06-19 was made by Mr. Whitten and seconded by Mr. McLaren. Motion carried.

**6. Solid Waste and Environmental**

None.

**7. Planning**

None.

**8. Transportation**

None.

**9. Subdivision**

- Proposed Subdivision Ordinance Updates

Mr. Van Mill advised that for several months they have been working with the Highway Department to come up with some comprehensive amendments to the subdivision regulations. As the County is developing and as they are seeing more innovative designs, they believe it is important that their subdivision regulations keep up with what is being proposed.

Today, Mr. Van Mill is requesting part of the amendment to the fees and to the inspection sections which would allow the County in the event that they do not have license engineering staff that would do these types of

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inspections that can review the subdivision plats that we are able to obtain third party professional engineering in order to do that.

Mr. Skimmerhorn advised that the cost of the independent engineer review fee would be passed on to the developer.

A motion to approve the amendment to the fees and inspection sections was made by Mr. Washington and seconded by Mr. Whitten. Motion carried.

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

Shingles: Mr. Whitten had requested that the shingles issue be re-discussed. He said that they voted on two (2) motions relative to this issue. Mr. Van Mill said that there were variances and there also was a rezoning case and made the suggestion that what Mr. Whitten was requesting, was to have the case reconsidered by the Planning and Zoning Department.

A motion to put the shingles issue back on the agenda for rediscussion/reconsideration was made by Mr. Whitten and seconded by Mr. James. Motion carried.

Ms. Bernard requested that Mr. Van Mill give an explanation and background information about this case to the new board members.

Mr. Van Mill explained that the company currently has a facility in the northern suburbs. They partnered with IKO (a new roofing manufacturer by the former AO Smith building). This company comes in and takes the scraps of IKO and they recycle them into other products. One of the things they have been looking very closely at is what they can or cannot do according to IEPA standards. This company has been reviewed by the Illinois Pollution Control Board and it has been found that as long as they only take the IKO product with other conditions they can operate in that form. What they are looking at in this case is a rezoning of property that is currently zoned residential that is contiguous to a pallet company and also to a tent rental business. It's a green grass site and they wish to put their company there. They are requesting a rezoning to industrial for their operation, but they are also requesting for some variances. Our zoning regulations have performance standards and those performance standards says you cannot create some nuisances up to a residential boundary line and they are looking for some variances.

Mr. Skimmerhorn explained that all variances the requirement has a 200 ft. set back requirement and the facility is adjacent to an R1 District that is

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completely surrounded by an R1 District and that 200 ft. set back applies on three (3) sides. Across the road is the City of Kankakee. The other variance would be the requirement for the operation of being inside of a building when it is adjacent to an R1 District. They would like to have a shredder and the whole operation outdoors.

Relative to the Skid Company, Mr. Skimmerhorn advised that the front part along Kensington is zoned I1 but the actual location of the buildings and the pallets being stored, is zoned R1. The ordinance allows you if you have multiple zonings on a property, you can chose which zoning you want to use and they chose to use the I1 for the entire site. It's technically zoned R1 where the pallet company is, but it follows the I1 rules.

Mr. Olthoff confirmed that this issue would be discussed further at the next Planning meeting.

Mr. Francour and the issue out on 102: Mr. Tripp advised that the Committee had acted on this issue and agreed that it would be built on that foundation.

Mr. Stauffenberg said that he believed that Mr. Francour's statement was the reason that he wanted to rebuild on that foundation was a well was in there and he (Mr. Stauffenberg) assumed at that meeting that he was going to rebuild on that foundation.

Mr. Van Mill said for the variances he didn't think whether he was going to build on that foundation or put a new foundation in has any bearing on whether it should be approved or not.

Mr. Olthoff confirmed that this property was residential, but was rezoned commercial.

The Committee agreed to discuss this issue further at the County Board level.

## 11. Executive Session

- 5 ILCS 120/2(2)(11) – Legal Matters/Litigation  
There were no attorneys present from the State's Attorney's Office.

A motion to go into "Executive Session" to give brief updates was made by Mr. Tripp and seconded by Mr. Hess. Motion carried by a roll call vote of 12 ayes and 0 nays.

A motion to come out of "Executive Session" was made by Mr. Whitten and seconded by Mr. Scholl. Motion carried.

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A motion to ask State's Attorney Jamie Boyd to be present at the next meeting to give updates on various issues was made by Mr. Whitten and seconded by Ms. Hertzberger. Motion carried.

**12. Adjournment**

A motion to adjourn the meeting at 9:50 a.m. was made by Mr. Tripp and seconded by Ms. Hertzberger. Motion carried.

William Olthoff  
Chairman

Chris Richardson  
Administrative Assistant

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