Resolution of the County Board of Kankakee County, Illinois

RE: ZBA CASE #18-20; REZONING FROM A1-AGRICULTURAL DISTRICT TO I2-GENERAL INDUSTRIAL DISTRICT IN SECTION 06 OF GANEER TOWNSHIP

WHEREAS, an application pursuant to the terms of the Kankakee County Zoning Ordinance, has been filed by Gregory M. Lambert, property owner and applicant in the Office of the County Clerk of Kankakee County for a Rezoning from A1-Agricultural District to I2-General Industrial District, on a parcel legally described herein Exhibit A, a copy of which is attached; and,

WHEREAS, the Zoning Board of Appeals held a duly noticed public hearing, on the application on May 7, 2018 and from the testimony and evidence presented findings were made as described in Exhibit B, a copy is attached and the ZBA recommends that the request of Gregory M. Lambert, property owner and applicant, be approved; and,

WHEREAS, the Planning, Zoning, and Agriculture Committee (PZA), at its regularly scheduled and duly noticed meeting of May 16, 2018 having reviewed, discussed and considered the matter, has approved the request and adopted the findings and recommendation of the Zoning Board of Appeals, Exhibit B; and,

WHEREAS, all matters required by law of the State of Illinois and the Zoning Ordinance of Kankakee County have been completed; and,

WHEREAS the County Board at its regularly scheduled meeting of June 12, 2018 after review, discussion, and consideration, agrees with the findings of the Zoning Board of Appeals and committee minutes of the PZA Committee, and finds that the conclusions expressed are both reasonable and rationally supported by the evidence presented, and the rezoning will not be detrimental to the public health, safety, and economic and general welfare.

NOW, THEREFORE, be it resolved by the Kankakee County Board, State of Illinois as follows:

1. The findings of the Zoning Board of Appeals are hereby approved, confirmed, ratified, and adopted and the conclusions of the Planning, Zoning and Agriculture Committee based upon those findings are rational and in the public interest.

2. The findings, conclusions and recommendation expressed in the minutes of the Planning, Zoning, and Agriculture Committee meeting of May 16, 2018 are also supported by the record and are in the public interest and are also approved, confirmed, ratified and adopted.

3. Rezoning from A1-Agricultural District to I2-General Industrial District, be approved on a parcel legally described in Exhibit A, a copy of which is attached herein and made a part hereof.
PASSED and adopted this 12th day of June, 2018.

Andrew H. Wheeler, County Board Chairman

ATTEST:

Dan Hendrickson, County Clerk
LEGAL DESCRIPTION:
TRACT 1: COMMENCING AT A POINT ON THE WEST LINE OF SECTION 6,
TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
KANKAKEE COUNTY, ILLINOIS, SAID POINT BEING 2,760.0 FEET SOUTH OF THE
NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH 85 DEGREES 54
MINUTES 20 SECONDS EAST, 901.71 FEET TO A POINT; THENCE NORTH 76
DEGREES 50 MINUTES 30 SECONDS EAST 290.97 FEET TO A POINT; THENCE NORTH
54 DEGREES 40 MINUTES 30 SECONDS EAST, 228.95 FEET TO A POINT, SAID POINT
TO BE KNOWN AS THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING,
THENCE NORTH 0 DEGREES 59 MINUTES 30 SECONDS WEST, 62.0 FEET TO A
POINT; THENCE SOUTH 89 DEGREES 00 MINUTES 30 SECONDS WEST, 80.0 FEET TO
A POINT; THENCE NORTH 89 DEGREES 00 MINUTES 30 SECONDS EAST, 60.0 FEET
TO A POINT; THENCE NORTH 0 DEGREES 59 MINUTES 30 SECONDS WEST, 106.0
FEET TO A POINT; THENCE NORTH 89 DEGREES 00 MINUTES 30 SECONDS EAST,
250.0 FEET TO A POINT; THENCE SOUTH 0 DEGREES 59 MINUTES 30 SECONDS EAST
329.31 FEET TO A POINT; THENCE SOUTH 89 DEGREES 00 MINUTES 30 SECONDS
WEST 250.0 FEET TO A POINT; THENCE NORTH 0 DEGREES 59 MINUTES 30
SECONDS WEST, 81.31 FEET TO THE POINT OF BEGINNING, CONTAINING 2.00
ACRES, MORE OR LESS.

TRACT 2: COMMENCING AT A POINT ON THE WEST LINE OF SECTION 6,
TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
KANKAKEE COUNTY, ILLINOIS, SAID POINT BEING 2,760.0 FEET SOUTH OF THE
NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH 85 DEGREES 54
MINUTES 20 SECONDS EAST A DISTANCE OF 901.71 FEET TO A POINT; THENCE
NORTH 76 DEGREES 50 MINUTES 30 SECONDS EAST A DISTANCE 290.97 FEET TO A
POINT; THENCE NORTH 54 DEGREES 40 MINUTES 30 SECONDS EAST A DISTANCE
OF 228.95 FEET TO A POINT, SAID POINT TO BE KNOWN AS THE POINT OF
BEGINNING. FROM SAID POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 59
MINUTES 30 SECONDS EAST A DISTANCE OF 81.31 FEET TO A POINT; THENCE
SOUTH 89 DEGREES 00 MINUTES 30 SECONDS WEST A DISTANCE OF 60.00 FEET TO
A POINT; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS WEST A
DISTANCE OF 143.31 FEET TO A POINT; THENCE NORTH 89 DEGREES 00 MINUTES
30 SECONDS EAST A DISTANCE OF 60.00 FEET TO A POINT; THENCE SOUTH 00
DEGREES 59 MINUTES 30 SECONDS EAST A DISTANCE OF 62.00 FEET TO THE
POINT OF BEGINNING, CONTAINING 0.197 ACRES, MORE OR LESS.

TRACT 3: COMMENCING AT A POINT ON THE WEST LINE OF SECTION 6,
TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN
KANKAKEE COUNTY, ILLINOIS, SAID POINT BEING 2,760.0 FEET SOUTH OF THE
NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH 85 DEGREES 54
MINUTES 20 SECONDS EAST A DISTANCE OF 901.71 FEET TO A POINT; THENCE
NORTH 76 DEGREES 50 MINUTES 30 SECONDS EAST A DISTANCE 290.97 FEET TO A
POINT; THENCE NORTH 54 DEGREES 40 MINUTES 30 SECONDS EAST A DISTANCE
OF 228.95 FEET TO A POINT, SAID POINT TO BE KNOWN AS THE POINT OF
BEGINNING. FROM SAID POINT OF BEGINNING, THENCE SOUTH 00 DEGREES 59
MINUTES 30 SECONDS EAST A DISTANCE OF 81.31 FEET TO A POINT; THENCE
SOUTH 89 DEGREES 00 MINUTES 30 SECONDS WEST A DISTANCE OF 60.00 FEET TO
A POINT; THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS WEST A
DISTANCE OF 143.31 FEET TO A POINT; THENCE NORTH 89 DEGREES 00 MINUTES
30 SECONDS EAST A DISTANCE OF 60.00 FEET TO A POINT, SAID POINT TO BE KNOWN AS THE POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, THENCE NORTH 89 DEGREES 00 MINUTES 30 SECONDS EAST A DISTANCE OF 133.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 00 MINUTES 30 SECONDS WEST A DISTANCE OF 133.00 FEET TO A POINT;
THENCE NORTH 00 DEGREES 59 MINUTES 30 SECONDS WEST A DISTANCE OF 329.31 FEET TO THE POINT OF BEGINNING, CONTAINING 1.0 ACRES, MORE OR LESS

THAT PART OF THE WEST HALF OF SECTION 6, TOWNSHIP 31 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, KANKAKEE COUNTY, ILLINOIS, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 6; THENCE SOUTH 01 DEGREE 00 MINUTES 47 SECONDS EAST ALONG THE WEST LINE OF SAID SECTION 6 A DISTANCE OF 2775.06 FEET; THENCE SOUTH 85 DEGREES 55 MINUTES 07 SECONDS EAST A DISTANCE OF 746.54 FEET; THENCE SOUTH 00 DEGREES 17 MINUTES 22 SECONDS EAST 25.07 FEET; THENCE SOUTH 85 DEGREES 55 MINUTES 07 SECONDS EAST 35.10 FEET; THENCE SOUTH 85 DEGREES 55 MINUTES 07 SECONDS EAST 35.16 FEET; THENCE NORTH 00 DEGREES 41 MINUTES 55 SECONDS WEST 25.09 FEET; THENCE SOUTH 85 DEGREES 55 MINUTES 07 SECONDS EAST 86.03 FEET; THENCE NORTH 76 DEGREES 49 MINUTES 43 SECONDS EAST 196.18 FEET; THENCE NORTH 54 DEGREES 39 MINUTES 43 SECONDS EAST 148.34 FEET; THENCE SOUTH 00 DEGREE 55 MINUTES 33 SECONDS EAST 22.32 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88 DEGREES 59 MINUTES 44 SECONDS EAST 443.00 FEET ALONG THE SOUTH LINE OF PROPERTY DESCRIBED IN TRACT 1, 3, & 4 PER TRUSTEE'S DEED RECORDER AS DOCUMENT NUMBER 200427037 (AS MONUMENTED); THENCE SOUTH 01 DEGREE 00 MINUTES 16 SECONDS WEST 135.00 FEET; THENCE SOUTH 88 DEGREES 59 MINUTES 44 SECONDS WEST 443.00 FEET; THENCE NORTH 01 DEGREE 00 MINUTES 16 SECONDS WEST 135.00 FEET TO THE POINT OF BEGINNING.
FINDINGS OF FACT AND RECOMMENDATION
OF THE KANKAKEE COUNTY ZONING BOARD OF APPEALS

This is the findings of fact and the recommendation of the Kankakee County Zoning Board of Appeals concerning an application from property owner and applicant Home Star Bank Trust #1114 in ZBA Case No. 18-20. The applicant and owner is requesting a rezoning from A1-Agriculture to IZ-General Industrial on a 2.5 acre parcel located at 5485 N 5000 E Road in Ganeer Township.

The owner currently operates a metal fabrication business at this location that was rezoned to IZ-General Industrial in 1982 (ZBA Case 82-03). The business is seeking to expand at this time and needs to extend into surrounding property. Unfortunately, the surrounding property was not rezoned in 1982 and must be rezoned to IZ-General Industrial for the expansion to move forward.

After due notice required by law, the Zoning Board of Appeals held a public hearing on this case on May 7, 2018 in the County Board Room, 4th Floor, Kankakee County Administration Building, Kankakee, Illinois, and hereby report their findings of fact and their recommendation as follows:

Site Information: See Staff Report (attached herewith).

Public Comments: No public comment. (See transcripts)

Analysis of Ten Standards: After considering all the evidence and testimony presented at the public hearing, the Board makes the following analysis of the ten (10) standards listed in Section 17.03.E3 (Standards for Map Amendments) of the Kankakee County Zoning Ordinance that must all be found in the affirmative prior to recommending granting of the petition.

1. That the proposed rezoning is consistent with the purpose and intent of the Zoning Ordinance.

The Board finds that the proposed rezoning is consistent with the intent and purpose of the zoning ordinance by promoting the expansion of existing industrial developments. There appears to be a discrepancy as to how much land is being rezoned.

2. That the proposed rezoning is consistent with the goals, objectives, and policies of the County Comprehensive Plan.

The Board finds that it is a goal of the Kankakee County Comprehensive Plan to provide adequate locations for business and industrial uses. As such, the proposed project creates jobs and allows an existing, established business to flourish in Kankakee County.
3. Explain how and if all required utilities, drainage, access to public rights-of-way, recreational facilities, educational facilities, and public safety facilities have been or will be provided, and possess adequate capacity or manpower.

The Board finds that all necessary utilities, right-of-ways, and public facilities are already in place.

4. That the proposed rezoning is compatible with the existing uses of property and the zoning classification of property within the general area.

The Board finds that the current operation has existed in this location without any impacts to surrounding properties. In addition, the property was used for industrial purposes for quite a while prior to its rezoning in 1982. The Board further finds that the proposed expansion would interfere with any surrounding properties or their potential future development.

5. That the permitted uses in the zoning classification being requested will not substantially increase the level of congestion on public rights-of-way.

The Board finds that there will be no change in the level of congestion.

6. That the subject property is suitable for the permitted uses under the existing zoning classification.

The Board finds that the property in question is not currently being farmed and has not been farmed for a long time if ever. As can be seen on the aerial photograph, the property is grassland and has been used for outdoor storage and parking. Converting this property to active farmland would be difficult at best and not cost effective.

7. That the subject property is suitable for the permitted uses under the proposed zoning classification.

The Board finds that the property is suitable for the permitted uses under the I2-General Industrial District.

8. What is the trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place since the day the property in question was placed in its present zoning classification?

The Board finds that the area surrounding the subject site is in agricultural production with the exception of a few scattered dwellings. There does not appear to be any discernible trend of development.
9. Is the proposed rezoning/amendment within one and a half miles of a municipality?

The Board finds that the proposed rezoning is not within 1 1/2 miles of a municipality.

10. Does the LESA report reflect the suitability of the site for the proposed amendment requested and uses allowed therein?

The Board finds that a LESA report is not needed for this project as it does not take farmland out of production.

Recommendation: We find that the proposed rezoning requested does meet all the standards for recommending granting as found in Section 17.03.E3 of the Kankakee County Zoning Ordinance and that such request is in the public interest. Therefore, the Zoning Board of Appeals hereby recommends that the zoning district classification of the property described above be changed from A1-Agriculture to I2-general Industrial.

Roll Call Vote: A motion was made to approve the rezoning. The roll call vote was five (5) members for the motion to recommend granting, zero (0) opposed.

Respectfully submitted this 7th day of May, 2018 by the Kankakee County Zoning Board of Appeals.

John Fetherling, Chairman – Aye
David Deyoung – Absent
William Sawyer – Aye
Edwin Meents – Aye
William Hemm – Aye
Beth Scanlon - Aye
Gene Raedemacher-Absent
CASE 18-20
STAFF REPORT
Hornestar Bank Trust #1141 (Owner and Applicant)

Ganeer Township
P.I. No. 06-10-06-100-022; 023; and a portion of 06-10-06-300-015
Rezone A-1 to I-2

ZBA CASE 18-20
The applicant and owner, Rome Star Bank Trust, is requesting a rezoning to move forward. Unfortunately, the surrounding property was not rezoned in 1987 and must be rezoned to General Industrial for the expansion to move forward. The site is adjacent to a heavy industrial area and would like to bring in more tax dollars and add jobs to the area. By adding production space we will bring in more tax dollars and add jobs to our area.

The County Comprehensive Plan (CCJP) is consistent with the goals, criteria, and policies of the County Comprehensive Plan. The proposed rezoning is consistent with the intent and purpose of the zoning ordinance by promoting the expansion of existing industrial development. There appears to be a discrepancy as to how much land is being rezoned. The Board should ask the applicant to clarify how much land is being rezoned and provide the expansion of existing industrial developments.

The following section highlights the reasons for the rezoning request. The proposed project creates jobs and economic opportunities for the Kane County area. The proposed project creates jobs and allows an existing, established business to flourish in Kane County.

If a goal of the Kankeke County Comprehensive Plan is to provide adequate locations for existing, established businesses, as well as the proposed project creates jobs and allows an existing, established business to flourish in Kane County, the rezoning of the applicant and owner, Rome Star Bank Trust, is consistent with the goals, criteria, and policies of the County Comprehensive Plan.
The board should ask the applicant to clarify this statement:

**Planning Department Analyses:**

- **Existing Conditions:**
  
  Not substantially increase the type of construction on the parcel relative to the existing.

**E. Examine how the proposed uses fit in the zoning classification and regulations will affect:**

interact with any surrounding properties or potential future development.

The current operation has existed in this location without any impacts to surrounding

**Planning Department Analyses:**

- **Proposed Reuse:**
  
  The current operation has been in this location without any impacts to surrounding

**Planning Department Analyses:**

- **Question:**
  
  Photographic analysis of property and zoning classification or property within the general area of the property in

- **Question:**
  
  Examine how the proposed reuse/annexation will be compatible with the existing use of

- **Question:**
  
  Examine if all necessary utilities, rights-of-ways, and public facilities are already in

- **Definition:**
  
  "Zoning Community" We are 1/2 mile north of 52nd Street in the middle of a corn field.

**Definition:**

- **Zoning Community:**
  
  We have 52nd Street, 56th Street, and 60th Street directly. We are ok. We have our

- **Proposed Reuse:**
  
  "Zoning Community" We are 1/2 mile north of 52nd Street in the middle of a corn field.

**Proposed Reuse:**

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- **Proposed Reuse:**
  
  "Zoning Community" We are 1/2 mile north of 52nd Street in the middle of a corn field.
The property in question is not currently being farmed and has not been farmed for a long time ever. As can be seen on the aerial photograph, the property is grassland and has been used for outdoor storage and parking. Combining this property to create farming would be difficult as it is not suitable for pasture. The property in question is not currently being farmed and has not been farmed for a long time ever. As can be seen on the aerial photograph, the property is grassland and has been used for outdoor storage and parking. Combining this property to create farming would be difficult as it is not suitable for pasture.
I. Is the proposed rezoning/amendment within one and one-half miles of a municipality?

Planning Department Analysis:

Planning Department Response: No.

I. Does the LESA report reflect the sustainability of the site for the proposed rezoning/amendment?

Planning Department Analysis:

Planning Department Response: Yes.

Because no farmland is being taken out of production for this project, a LESA score is not required.

Existing Facility looking north.

Existing Facility looking north.

Planning Department Response: "Yes."

The planning staff agrees with the petitioner.
2. Location:

Reference: Hearing Date: May 7, 2018

Name: Homer Bink Bank Trust #114
Address: 2900 E Road, Litchfield, IL 62056

Applicant's Name: Homer Bink Bank Trust #114

Municipal Planning Boundary:

- North: Township 06-06-10-06-300
- East: Road 06-01-00-00-00-00
- South: Road 06-06-300-00-00-00
- West: Road 06-01-00-00-00-00

- Additional Info:
  - Existing Land Use:
    - Agricultural
  - Surrounding Zoning:
    - North: General Industrial District
    - West: General Industrial District
    - South: General Industrial District
    - East: General Industrial District
  - Surrounding Land Use:
    - North: Vacant Field
    - West: Vacant Field
    - South: Vacant Field
    - East: Vacant Field

- Physical Characteristics:
  - Dimensions:
    - 2.5 acres
  - Legal Council:
    - None

- Map Reference:

- Kankakee County Planning Department
FlAcase18-20

S. Comprehensive Plan Designation:
Kankakee County:
Agricultural Conservation Area

Municipality: N/A
Township: N/A

Distance to Public Services and Facilities:

Fire Protection:
Kankakee County - 3 miles

School District:
St. George / EBEIS School District - 1-2 miles

Water:
Aquatilus, Inc. - 2.2 miles

Police Protection:
Kankakee County - 9 miles

County Board District:
Five (5) - Mrs. Parker

Miscellaneous Information:

Kankakee County Planning Department