

McHenry County Zoning Commission

October 28, 2021

7:00 PM

The meeting was called to order by Chairman Matt Zelinski. Other members present were Darrell Haman, Tom Krumwiede, Joe Weninger and Roger Myers (via Zoom). A list of others attending is on file in the Auditor's office.

A motion was made by Tom and seconded by Mike to approve the August 26th and September 23rd minutes. Motion carried unanimously.

The public hearing was held regarding the conditional use application from Travis Miller (The Used Oil Guy) to place seasonal bulk storage tanks holding used engine oil in Outlot 627 in the SW ¼ SW ¼ NW ¼ of Section 34-156-79. Miller stated the oil is non-combustible and non-flammable and does not soak into the ground because of its qualities. The tanks will have a secondary containment, with heavy plastic liners under all tanks with berms around the tanks. The ground will be sloped away from the creek, with EPA monitoring the tanks and liners. The storage capacity will be 92,000 gallons. Concerns were brought up about contamination being close to the creek and the water levels during the 2011 flood. Another concern was the soil it will be sitting on is gravel so if there would be a spill, it may leach into the water table. Chairman Zelinski stated the land is zoned agricultural and in order to fit this situation, it would need to be zoned industrial due to the quantity of oil storage. It was also mentioned they would like to eventually live on this property. Residential property within an industrial zoned property is not allowed and does not comply with the county's comprehensive plan for placement of industrial zones. It was then questioned whether non-residents could request an amendment to the zoning ordinance. The board will refer this question to the States Attorney. The cleaning process would entail running the used oil through a mesh screen to filter out the waste. He mentioned he has processed about 100,000 gallons and the waste would fit in a 5-gallon bucket. He would be transporting about 2-3 loads/week during the summer months. A motion was made by Darrell and seconded by Roger to deny the request since it does not meet the zoning requirements at this time. Motion carried unanimously.

The public hearing was held regarding the variance application submitted by Kyle Lizotte to place a mobile home 16' from the front lot line on Lot 8 in Buffalo Lodge 3rd Addition. A motion was made by Mike and seconded by Joe to recommend the commissioners approve the variance. Motion carried unanimously.

The board reviewed the following applications:

Blaine Keller – lawn shed
Scott Wittmayer – 2 wooden granaries and calf barn
Dan Eggleston – polebarn

A motion was made by Roger and seconded by Mike to approve the above applications. Motion carried unanimously.

The board discussed the situation with the corral being too close to the road in which it blocks the road in the winter. According to the zoning ordinance, the board interprets this corral as being a structure and a zoning permit is required. A zoning application has not been received. A certified letter was sent to the landowner on September 16, 2021, notifying them of the situation and to contact the zoning board with a resolution within 30 days. A phone call was received from the renter who placed the corral. He was planning to talk to the zoning board at the September meeting but a quorum was not present so no business took place. Since this issue has not been resolved at this time, a motion was made by Matt and seconded by Mike to turn this violation over to the States Attorney and to place a fine for every day they are not in compliance. Motion carried unanimously.

There has been no response from the States Attorney or First District Health regarding the complaints at Buffalo Lodge regarding the maintenance issues and placement of structures on OL 634 of Buffalo Lodge Cottage Addition.

The board discussed the placement of nine bins located in the NWNW Section 28-152-78. Correspondence will be made to FSA as there is no record of zoning permits.

At 9:05 PM, a motion was made by Mike and seconded by Joe to adjourn. Motion carried unanimously.

ATTEST:

Darlene Carpenter, Auditor