

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County
Woodford County Board Room
6:00 P. M. Tuesday, January 24, 2017

Minutes

1. Call to Order:
Jerry Smith called the Zoning Board of Appeals hearing to order at 6:00 p.m.
2. Roll Call: Jerry Smith, Teresa Gauger, Christy Parr, Robert Hadfield and Blake Parsons. Chairman Smith declared a quorum was present.
Others present: Andy Rokey
3. Approval of minutes for November 22, 2016. Motion was made by Mr. Hadfield to approve the November 22, 2016, minutes. 2nd by Mrs. Gauger. All approved. Motion carried.
Executive Session minutes for September 23, 2014, to keep confidential/make public. Was not reviewed at this time, to be on February 28, 2017, agenda.
4. Swearing in and/or Affirmation:
Chairman Smith performed the swearing in and affirmation.
5. Petitions Submitted for Review:
 - **2017-01-V** Worth Township - John MacNeil requests variance to exceed maximum allowable size of lot maintenance shed of 1800 sq. ft. to 3840 sq. ft. on a 3.53 acre lot between 1497 and 1499 Hickory Point Road which is in the (R-1) Residential Single Family District.
John MacNeil and Kim Holmes were sworn in. The secretary read the proof of publication. Mr. MacNeil was called forward by Chairman Smith. Mr. MacNeil explained he would prefer to have one large shed versus many smaller sheds on the property. The proposed structure would be 48' x 80' and a drawing was submitted showing the location of the equipment inside of the shed. The building would be out of view from the road. The family uses the property for hunting, gardening, recreation and they also cut the dead fall for firewood and to thin out the canopy to prevent soil erosion. Where they live now has some equipment clutter in the yard and the shed would provide the necessary protection from the elements and security. They may build a home at this site, but Mr. MacNeil stated it would be 7-10 years down the road. No commercial business would be engaged in at this site in the meantime. The height exceeds the 15' mean height by 3', this is permitted per Section 4-1600 under Height as the height can exceed the maximum by one foot for every foot the lot width exceeds the minimum. Minimum lot width in the residential district is 100' and this lot is 200' + wide. Mr. MacNeil was told to come in within 90 days for his zoning permit and would need to begin construction within 90 days after that. No objections were presented by the public.
Motion was made by Mr. Parsons to approve Petition 2017-01-V based on the following:

Findings by the Zoning Board of Appeals for Petition 2017-01-V:

A. Non-conforming uses in the same district and permitted uses in other districts shall not be considered grounds for issuance of a variance. (Affirmative)

B. The granting of the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands or structures in the same district.

(Affirmative)

C. The ZBA has found that the reasons set forth in the application justify the granting of the variance.

(Affirmative)

D. The ZBA finds that the granting of the variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare. (Affirmative)

E. The variance requested is the least amount of variance required to allow the proposed structure on the existing lot, without regard to aesthetics or personal inconvenience to the property owner. (Affirmative)

2nd by Mr. Hadfield. Roll call vote: Teresa Gauger, Christy Parr, Robert Hadfield, Blake Parsons and Jerry Smith all voted aye. Motion carried.

6. Other Business to Come Before the Board:

- Alvin Schultz requests permit extension to finish dwelling addition - Motion was made by Mrs. Parr to issue a new permit to not exceed 365 days. 2nd by Mr. Hadfield. All approved. Motion carried.
- Jacob & Janell Fehr request permit extension to finish dwelling addition - Motion was made by Mrs. Gauger to issue a new permit to not exceed 365 days. 2nd by Mr. Hadfield. All approved. Motion carried.
- Update on previous month petition/s – November 22, 2016 – Petition for special use 2016-30-S by Brenton Bittner was denied, Petitioners for variance 2016-32-V for a sign had come in for their zoning permit.
- Update on next month petition/s – February 28 at least one variance will be on docket. There were still 3 days left for people to file.
- IACZO Seminar discussion: procedural changes, role of the chairman vs board member, role of ZA – Mr. Hadfield noted the importance of the findings of fact as there is always the possibility of litigation on any case. Mrs. Parr thought doing site visits are important as well and they had discovered that many other counties actually encouraged their zoning appeal boards do site visits to assist in decision making. They also brought up the fee structure that had been recently been decreased and had discovered that even under the previous fee structure Woodford County was less expensive than other counties. Mr. Hadfield included on the February agenda the topic of appeal fee discussion with members of the Conservation, Planning and Zoning. Mr. Rokey said perhaps that should also be on the February CP & Z agenda.
- ZBA By-Law discussion - (if necessary)

7. Executive Session (if necessary)

Motion was made by Mrs. Parr at 7:15 pm to go into executive session pursuant to 5 ILCS 120/2(c)(1) The appointment, employment, compensation, discipline, performance, or dismissal of specific employees of the public body or legal counsel for the public body, including hearing testimony on a complaint lodged against an employee of the public body or against legal counsel for the public body to determine its validity. 2nd by Mr. Parsons. Roll call vote. Christy Parr, Robert Hadfield, Blake Parsons, Teresa Gauger and Jerry Smith all voted aye. Motion carried.

8. Any action coming out of Executive Session –

Motion was made by Mr. Smith to go back into regular session at 7:38 pm. 2nd by Mr. Hadfield. All approved. Motion carried.

No action was taken coming out of executive session.

9. Adjournment

Motion was made by Mrs. Gauger to adjourn at 7:39 pm. 2nd by Mr. Parsons. All approved. Motion carried.

Secretary

Jerry Smith, Chairman

Date