

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County

Woodford County Board Room
6:00 P. M. Tuesday, February 27, 2018

Minutes

1. Call to Order:

Mr. Smith called the meeting to order at 6:00 pm

2. Roll Call: Jerry Smith, Jerry Lay, Kim Holmes, and James Losher were present. Teresa Gauger was excused. Chairman Smith declared a quorum present.

Others present: Blake Parsons and Duane Kingdon

3. Approval of minutes for January 23, 2017.

Motion to approve made by Ms. Holmes, seconded by Mr. Lay. *Motion Carried.*

4. Petitions Submitted for Review:

- Swearing in and/or Affirmation: was completed for petition 2018-01-V

- **2018-01-V** Metamora Township - Robert Springer requests a Variance in allowable sign size and illumination in the (AG) Agricultural District, on Lot 2-S, located at 978 County Road 1500N, Metamora, Illinois.

Paul Perry 419 Linden St Toluca, he is representing Mr. Springer. Mr. Perry noted that Mr. Springer was under the impression that the sign company had acquired all the necessary permits for the sign, that was not the case so they have requested a variance. Ms. Jording explained that this is not one of the permissible sign in the Agriculture district so the variance will be for size and illumination. It was noted that the safety lighting was brighter than that of the sign at night.

Motion to approve variance 2018-01-V made by Lay with all findings in the affirmative, seconded by Holmes.

- **Findings by the Zoning Board of Appeals for Petition 2018-01-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)

Roll call vote: Kim Holmes – *Yes*, Jerry Lay – *Yes*, James Losher – *Yes* Jerry Smith – *Yes*. *Motion carried.*

- Swearing in and/or Affirmation: was completed for petition 2018-05-V

- **2018-05-V** Clayton Township - Gayl & Guthrie Wyss, requests a Variance in allowing a demolition of the current house and a new house being built on a non-conforming lot, in

the Agricultural District, located on .5 acre parcel more commonly described as 2005 County Road 2500 E, Minonk, Illinois.

Mr. Gayl Wyss, 1634 County Road 1600 E, Minonk. Mr. Wyss discussed that his son owns the house in question, it is a school house, house. He would like to tear the house down and build a new house on the lot. Ms. Holmes discussed that there was fire damage at one point and asked if it had been repaired since the fire. Mr. Wyss noted that it had. Ms. Holmes discussed that based on the age and condition it is not a viable house to repair. Ms. Holmes asked about the condition of the septic system, Mr. Wyss noted that after checking with the health department, they had no record of the system so a new system will be needed. Ms. Holmes asked if the .5 acres would be sufficient for the system. Mr. Wyss indicated they had not discussed that issue. Mr. Smith asked about the well placement being de-conflicted with the septic, Mr. Wyss indicated he has not checked on that. Mr. Wyss discussed that he is looking to purchase the adjoining lot. Ms. Jording noted that the two lots combined would still not meet the minimum lot size, additionally if the second lot was purchased and combined the new lot would be created after 1993. Lots created after 1993 are not eligible for lot size variances. Ms. Holmes noted the septic permit would be required. Ms. Jording stated that a house permit would not be issued without the septic permit.

Motion to approve petition 2018-05-V by Holmes with all findings in the affirmative, seconded by Loshier:

- **Findings by the Zoning Board of Appeals for Petition 2018-05-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)

Roll call vote: Jerry Lay – *Yes*, James Loshier – *Yes*, Jerry Smith – *Yes*, Kim Holmes – *Yes*. *Motion carried.*

- Swearing in and/or Affirmation: was completed for petition 2018-06-S
 - **2017-06-S** Worth Township – Adams Outdoor Advertising requests a special use to construct a billboard on a parcel located east of the mini storage units at 589 State Route 116, Metamora, which is in the General Commercial District.

Jim Youngman, 911 S.W. Adams, Peoria. Mr. Youngman discussed that they ran into an issue with IDOT approval for the billboard. By the time the IDOT permit was issued the building permit and Special use were expired. Mr. Youngman discussed that the current board is old, dilapidated and unsafe. They will remove the old billboard and put up a new one. Mr. Holmes asked about nearby signs. Mr. Youngman stated that all IDOT sign spacing requirements were met. Ms. Jording noted this petition is the same as the petition submitted in February 2017. Mr. Smith asked if this was a

two sided sign. Mr. Youngman indicated that it is two sided. Mr. Youngman indicated that the IDOT permit is issued so they will be able to begin work as soon as the Special Use is granted.

Motion to approve 2018-06-S made by Lay with all finding in the affirmative, seconded by Losher.

Findings by the Zoning Board of Appeals for Petition 2018-06-S:

- A. Will not be detrimental to the public health, safety, and welfare; (Affirmative)
- B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility; (Affirmative).
- C. Will not be injurious to the district in which it shall be located; (Affirmative).
- D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts; (Affirmative).
- E. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided; (Affirmative)
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads; (Affirmative).
- G. Is consistent with the Woodford County Comprehensive Land Use Plan. (Affirmative).

Roll call vote: James Losher – *Yes*, Jerry Smith – *Yes*, Kim Holmes – *Yes*, Jerry Lay – *Yes*. *Motion carried.*

- Swearing in and/or Affirmation: was completed for petition 2018-07-V
 - **2018-07-V** Worth Township – Adams Outdoor Advertising requests a variance in allowable billboard size located east of the mini storage units at 589 State Route 116, Metamora, which is in the General Commercial District.

Jim Youngman, 911 S.W. Adams, Peoria. Mr. Youngman discussed that this is a variance to put up a billboard in the same size as the one coming down. The new one will be much safer and up to current safety requirements. Ms. Holmes noted that the ordinance allows for an off premises sign up to 300 sq ft. the variance is asking for a sign 672 sq ft.

Motion to approve petition 2018-07-V made by Losher with all findings in the affirmative, seconded by Lay

- **Findings by the Zoning Board of Appeals for Petition 2017-07-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)

Roll call vote: Jerry Smith – *Yes*, Kim Holmes – *Yes*, Jerry Lay – *Yes*, James Losher – *Yes*. *Motion carried.*

- Swearing in and/or Affirmation: was completed for petition 2018-04-A
 - **2018-04-A** County Wide Conservation, Planning and Zoning request amendment of Sections 5 and 24 and the addition of section 30 Solar Energy Systems to the Woodford County Zoning Ordinance setting forth regulations and fee schedule for Solar Energy Systems.

Mr. Kingdon and Mr. Parsons explained that the C. P. & Z. committee accepted all the changes recommended by the ZBA. Mr. Kingdon stated that the recommended three additional changes.

Add “to a public road” at 30-1200 F. 3) f)

30-1200 F. 3) f) Locations of Ingress/Egress to a public road.

Add that litigation will be filed in Woodford County

30-1200 I. **Litigation** In the event legal action is required it shall be filed in the Woodford County Court.

Remove the Maximum fee amount for an SFES in the fee schedule under 1c. OTHER.

Motion to approve petition 2018-04-A as presented made by Holmes, seconded by Lay.

Roll call vote: Kim Holmes – *Yes*, Jerry Lay – *Yes*, James Losher – *Yes*, Jerry Smith - *Yes*. *Motion carried.*

5. Other Business to Come Before the Board:
 - Update on next month petition/s - None
 - ZBA By-Law discussion - (if necessary) – None
6. Executive Session (if necessary) - None
7. Any action coming out of Executive Session
8. Adjournment

Mr. Lay made the motion to adjourn at 6:58, 2nd by Mr. Losher. *Motion Carried.*

Lisa Jording, Secretary

Jerry Smith, Chairman

Date