

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room
6:00 P. M. Tuesday, March 26, 2019

Minutes

1. Call to Order:
Mr. Smith called the meeting to order at 6:00 pm
2. Roll Call: Jerry Smith, Teresa Gauger, Jerry Lay, and Kim Holmes, present. Chairman Smith declared a quorum present.
Others present: Justin Faulk, Erik Gibson and Lisa Jording
3. Approval of minutes for January 22, 2019 and February 26, 2019.
Motion to approve January minutes made by Holmes, seconded by Lay. Roll Call vote: Jerry Smith – *yes*, Teresa Gauger – *yes*, Kim Holmes – *yes*, Jerry Lay – *yes*. *Motion Carried*
Motion to approve the February 26, 2019 minutes made by Lay, seconded by Gauger. *Motion Carried*.
4. Swearing in and/or affirmation- completed for each petition.
5. Petitions Submitted for Review:
 - **2019-07-V Cruger Township** - Grainland Cooperative., for a Variance for a front yard setback. 63 feet to outside of truck scale from centerline of the road, in Commercial District, located on an approx. 6.19 acre parcel on Part Blk 15,W side, & all tracts A & B, Section 11, T26N-R2W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 927 County Highway 3, Eureka, Illinois.

Swearing in and/or Affirmation: was completed for petition **2019-07-V**

Mr. Jeff Brooks and Ms. Lisa Jording was sworn in. Mr. Brooks presented that the elevator needed to add a second truck scale as part of the major construction project that is taking place. They determined the best location is next to the existing scale to improve traffic flow and speeds. Ms. Gauger asked if the existing scale was taken out. Mr. Brooks stated they will replace the existing scale and add the second next to it. Mr. Lay asked if the second scale would speed things up. Mr. Brooks stated they felt it would improve traffic flow. Mr. Brooks was asked if County Highway was consulted. Ms. Jording noted that County Highway was notified. Ms. Jording noted that while this is not a structure above ground, the fact that it is a substantial installation they chose to have a variance to protect the company in the event the County Highway is expanded in the future.

Ms. Holmes made the motion to approve petition 2019-07-V for reduction of front yard setback from 100 ft. to 63 ft. for the installation for an outside truck scale, seconded by Gauger.

Findings by the Zoning Board of Appeals for Petition 2019-07-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)

Ms. Holmes made the motion to approve petition 2019-07-V for reduction of front yard setback from 100 ft. to 63 ft. for the installation for an outside truck scale, seconded by Gauger.

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

- **2019-08-S Panola Township** - Freedom Wind Woodford, LLC. for a Special Use to erect a Meteorological Tower to collect scientifically valid wind data for the specified area located in the (AG) Agriculture District, on a 40 acres ± , part of the SW ¼ SE ¼ of Section 09, T27N-R2E of the 3rd P.M. Woodford County, Illinois, and more commonly described approximately 1,700 feet west of County Road 2900 E, on the North side of County Road 1500 N, El Paso, Illinois.

Swearing in and/or Affirmation: was completed for petition **2019-08-S**

Mr. Jed Simenson was sworn in. Mr. Simenson presented that they will be installing a 197 ft. meteorological tower to collect wind data. He noted this is the same type tower that was previously approved. Ms. Holmes asked about the setback from the property line. Ms. Jording noted the meteorological towers do not specify setbacks. Ms. Holmes noted that it is probably 1.1 times the height. It was noted in the petition that the setback shown is 265 ft. from the property line to the east and 225 ft. from the centerline of the road. Mr. Lay asked how long the towers are up before they start construction. Mr. Simenson noted they are up a year, to collect the bird and bat study information.

Findings by the Zoning Board of Appeals for Petition 2019-08-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)

Motion to approve petition **2019-08-S** by Freedom Wind Woodford LLC for a special use to erect a meteorological tower on 40 acres in the part of the Southwest 1/4 of the Southeast 1/4 of section 9 made by Gauger, seconded by Lay:

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

- Other Business to Come Before the Board:
- Request for 6 month Extension of Special Use 2018-036-S Greene Township Jon & Valerie Yoder for a Special Use to operate a business selling bakery, deli meats, cheeses, bulk food, produce and other items, located in the (AG) Agriculture District, more commonly described as 1550 County Road 2000 E. Roanoke, IL.

Ms. Jording noted that the petitioner is requesting an extension to allow more time to complete the required permitting.

Mr. Lay made a motion to extend the special use by 180 days from the previous expiration date (new expiration September 14, 2019), seconded by Gauger.

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

- Request for 6 month start date extension for Permit 17694-18 - SAC Wireless / AT&T - 1005 N Main Street, Eureka issued Sept 12, 2018.

Ms. Jording noted the company is asking for an extension to their start date as they had issues with weather and other issues they were unable to start on time.

Ms. Holmes made the motion for a six month start date extension, seconded by Lay.

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

- Update on next month petition/s March 26

Ms. Jording noted that there will be six petitions next month. 2 Special Use, 2 Variances and 2 Map Amendments.

Ms. Holmes noted she will not be at the April Hearing.

- ZBA By-Law discussion - (if necessary)

Ms. Holmes asked for the “update on previous months petitions” to be added back to the agenda.

- Executive Session - None
- Any action coming out of Executive Session

- Adjournment

Ms. Gauger made the motion to adjourn at 6:30, 2nd by Mr. Holmes. *Motion Carried.*

Lisa Jording, Secretary

Jerry Smith, Chairman

Date