

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room
6:00 P. M. Tuesday, August 25, 2020
Minutes

- Call to Order:

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

- Roll Call: Teresa Gauger, Jerry Lay, Dean Backer, Karen Krug and Marty Clinch were present.
Mr. Lay declared a quorum present.

Others present: Erik Gibson

Mr. Lay ask for a motion for acting chairman. Ms. Gauger made the motion to nominate Mr. Lay, seconded by Backer. *Motion Carried*

- Approval of minutes for February 13, 2020.

Motion to approve minutes as amended made by Clinch, seconded by Krug. *Motion Carried.*

Approval of minutes for July 28, 2020.

Motion to approve minutes as amended made by Backer, seconded by Clinch. *Motion Carried.*

- Swearing in and/or affirmation- completed for each petition.
- Petitions Submitted for Review:

2020-14-V Roanoke Township filed, July 21, 2020, by Luke Fischer for a variance in maximum lot coverage, in the Agriculture District, on 1.2 acre parcel described as Lot 1, 191 ft. x 120 ft. NW ¼, Section 24, T27N-R1W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 1378 County Road 1900 E Roanoke, Illinois.

- Swearing in and/or Affirmation: was completed for petition **2020-14-V**
Mr. Luke Fischer was affirmed. Mr. Fischer presented that he intends to build a general use shed for storage and recreation. The shed size they determined they needed brought their lot coverage over the maximum lot coverage restriction. He noted that they do not plan to have water or septic in the shed at this time, they are on a communal well with two other properties. Mr. Fischer was asked about the site and foundation. He explained that while the site was relatively level, some fill would be needed during the construction. He also noted they would have a concrete floor in the shed. Mr. Fischer noted that he has spoken with many of the neighbors and none had any concerns. Ms. Jording noted that one person signed up as an interested party but she was not in attendance this evening. Ms. Jording explained that the allowable lot coverage is 8% and new shed would exceed the coverage restriction by 1,022 sq. ft. resulting in a 9.95% lot coverage, an increase of 1.95%.

Findings by the Zoning Board of Appeals for Petition 2020-14-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)** This will be used for storage and recreation as a workshop and shed.
- 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) No special privilege, lot was in an older subdivision when lot sizes were allowed to be smaller.

C. The ZBA has found that the reasons set forth in the application justify the granting of the Variance. (Affirmative) No concerns with the reasoning presented, the shed is the minimum size needed to meet the needs.

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) The shed will comply with all set back requirements and be placed in the back yard to minimize impact. No objections were presented by the neighbors.

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) The building is the minimum required for the needs of the homeowner, efforts are being made to protect the mature trees on the lot.

Motion to approve petition 2020-14-V for a variance in lot coverage to build a shed made by Gauger, seconded by Krug.

Roll call vote: Jerry Lay – *Yes*, Teresa Gauger – *Yes*, Karen Krug – *Yes*, Marty Clinch – *Yes*, Dean Backer – *Yes*. *Motion Carried.*

2020-15-Z Cruger Township filed, July 23, 2020, by Blunier Builders, Inc. for a Map Amendment from Commercial District and Agriculture District (AG) to Heavy Industrial District (I-2), on a 40 acre parcel, E half Tract B in N half, NW quarter, Section 14, T26N-R2W of the 3rd P.M. Woodford County, Illinois, and more commonly described as vacant ground immediately west of 1100 W. Center St. US Highway 24, Eureka.

- Swearing in and/or Affirmation: was completed for petition **2020-15-Z**
Mr. Ted Schieler was affirmed. Mr. Schieler explained that they would like to re-zone the property across the street from the existing office in order to construct a new office and facility to house the business. He noted they are looking at possible small manufacturing in the future. The Board asked out drainage on the site. Mr. Schieler noted that they have engaged an engineer to develop a Storm water pollution prevention plan which would address the run off and retention of water from the site. He noted they have spoken with IDOT about the entrance and future expansions, no concerns were presented. The Board asked what the construction timeline would be. Mr. Schieler stated they had intended to start after harvest but now may start in spring. He also noted they are working with the Health Department for a waiver to allow private water and sewer. Due to their proximity to Eureka they would normally be required to interconnect, due to the cost involved they are seeking the waiver. Ms. Jording explained that the business they intend to build is a special use in the commercial district, it is an allowable use in the Heavy Industrial District (I-2).

Findings by the Zoning Board of Appeals for Petition 2020-15-Z:

A. Whether the proposed zoning district classification is consistent with the Woodford County Comprehensive Land Use Plan; (Affirmative) This is a progressive use of the property which is in harmony with the comprehensive plan, While Agriculture is the primary desired use, converting land into other economic uses is allowed.

B. Whether there are any changed or changing conditions in the area affected that make the proposed rezoning necessary; (Affirmative) The current operation is land locked with no option to expand at the current location.

C. Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on the other properties in the immediate vicinity; (Affirmative) Will be in harmony with the surrounding commercial uses creating consistency in the area. Other properties in the immediate vicinity are currently zoned Heavy Industrial.

D. Whether adequate infrastructure exists or can be provided to serve the uses that would be permitted on the property if it were rezoned; (Affirmative) Infrastructure needed is being considered and developed, storm water requirements will be constructed.

E. The impact the uses, which would be permitted if the property were rezoned, will have upon the volume of vehicular traffic in the vicinity; The traffic at the current office will relocate across the street to the new office, no increase should be seen.

F. Whether a reasonably viable economic use of the subject property will be denied if the proposed rezoning is not approved; (Affirmative) Heavy Industrial allows the proposed business to be a permitted use and expand as needed.

G. Information submitted at the public hearing. (Affirmative) Sufficient information was submitted, no interested parties were present.

Motion to approve petition 2020-15-Z for a map amendment from Commercial District and Agriculture District (AG) to Heavy Industrial District (I-2) made by Gagner, seconded by Krug. Roll call vote: Teresa Gagner – *Yes*, Karen Krug – *Yes*, Marty Clinch – *Yes*, Dean Backer – *Yes*. Jerry Lay – *Yes Motion Carried*.

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- Other Business to Come Before the Board:
 - Update on previous months petition/s
All the petitions submitted to the County Board were approved.
 - Update on next month petition/s: Ms. Jording noted there is one petition for next month.
 - IACZO Seminar discussion: Ms. Jording expects the training is cancelled, she has not received any information from IACZO
 - Public Input - None
 - ZBA By-Law discussion - (if necessary) None
 - Executive Session – None
 - Adjournment

Mr. Backer made the motion to adjourn at 7:12, 2nd by Mr. Clinch. *Motion Carried*.

Lisa Jording, Secretary

Jerry Lay, Acting Chairman

Date