

# WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room  
1837 S. Main St. Eureka, IL  
6:00 P. M. Tuesday, April 26, 2022

- Call to Order:

Ms. Holmes called the meeting to order at 6:00 pm

- Roll Call: Teresa Gauger, Kim Holmes, Terry Pille, Karen Krug, and Marty Clinch (arrived at 6:24) were present.

Ms. Holmes declared a quorum present.

Others present: Erik Gibson and Lisa Jording

- Approval of minutes.

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

- Swearing in/ Affirmation – Completed for each petition.

- Presentation of Petitions

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#2022-09-V Cazenovia Township filed, March 15, 2022, by Chris Rewerts for a Variance in lot coverage to allow a 4,512 Sq. ft. shed, an increase of 1,678 sq. ft., located in the Agriculture (AG) District on a 1.407 acre parcel, described as Lot 11 in W ½ SE ¼ T28N-R2W of the 3<sup>rd</sup> P.M. Woodford County, Illinois, and more commonly described as 2229 State Route 89, Washburn, Illinois.

Chris Rewerts was sworn in.

He explained to the Board that he would like to remove the existing dilapidated shed and chicken shed and replace them with a new modern shed which would be 54 x 80. He discussed that this would be in the footprint of the existing shed and farm yard area. The size would accommodate the vehicles and activities the plan to have in the shed. The ingress/egress from the road would remain the same.

It was discussed that this is a Lot or Record and is 1.407 acres in size. The shed size requested is in compliance with all other regulation except coverage, allowable coverage is 8% this structure would place the lot at 10.43%. Mr. Rewerts noted that he has spoken with the Health Department regarding septic and floor drains for the building.

**Evidentiary portion of the hearing closed.**

**Findings by the Zoning Board of Appeals for Petition 2022-09-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.** The shed is a permitted structure within the district. No immediate neighbors. The existing building is in poor condition, this will improve the property and will be in compliance with all other regulations.
- 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.** Not a special privilege. Lot of Record.
- C. The ZBA has found that the reasons set forth in the application justify the granting of the Variance.** Not unique to the area, will meet all other standards and will clean up the area.
- 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.** The location is sufficiently buffered and does not affect any neighboring properties.

- 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.** Will be utilizing the existing footprint of the current structure and farmyard. This will remove a deteriorated building. This is not necessarily the least Variance that could be requested.

Motion to approve petition for Chris Rewets for a Variance in lot coverage to allow a 4,512 Sq. ft. shed, an increase of 1,678 sq. ft., located in the Agriculture(AG) District on a 1.407 acre parcel, described as 2229 State Route 89, Washburn, Illinois. Made by Gauger, seconded by Krug.

Roll call vote: Teresa Gauger – *Yes*, Karen Krug – *Yes*, Kim Holmes – *Yes*, Terry Pille – *Yes*. *Motion Carried.*

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**#2022-10-S Kansas Township** filed, March 17, 2022, by Pasture Church for a Special Use to operate a Church, located in the Agriculture (AG) District on a 23.54 acre parcel, described as Lot 2 NE ¼ Kauffmans Subd T25N-R1E of the 3<sup>rd</sup> P.M. Woodford County, Illinois, and more commonly described vacant ground immediately west of 2579 County Road 300 N., Hudson, Illinois.

Robert Tincher was sworn in.

Mr. Tincher was asked if there were plans for a cemetery, he indicated there was not. Ms. Jording was asked if there was any contact from the Road Commissioner. Ms. Jording noted that this is a unique situation because the road is in Woodford County but is maintained by McLean County Highway Department. McLean provided a letter for the record.

*The Mclean County Highway Department maintains Evergreen Lake Road (CH 8) that will be used to access the proposed site of the Pasture Church located near 2579 County Road 300 N in Hudson, IL. The Highway Department will grant access to the property according to the Mclean County Access Ordinance.*

*At this time, a Road Use Agreement for the Special Use Permit will not be required for the construction of the new church. Any loads over 72,000 lbs. will require an oversize I overweight permit. The weight limit during the Spring Posting period from January 15th to April 15th will be 20,000 lbs. (10 Tons). Any loads over 10 tons will not be allowed to access the site during this period. Fees for all permits shall be according to the current Mclean County Highway Department Oversize/ Overweight Permit.*

*Developer will be responsible for repairs of any damages caused by its vendors, contractors, employees or material suppliers on any roads in Mclean County.*

Mr. Tincher discussed that the well and septic will be placed according to code requirements. They will have a Storm Water Pollution Prevention Plan with signed and stamped plans. There will be water retention in the plan on the Northeast corner of the parcel. Ms. Gauger asked about the number of services that will be held on a Sunday. Mr. Tincher noted that he expects one service but is not positive. The church is currently small and will have to grow into the space. He notes that there will be approximately 150 parking spots. He noted those spaces are designed for future growth. Currently the attendance is approximately 200 people, they generally expect 3-4 people per car in a church application. Ms. Gauger asked about youth groups and other groups. Mr. Tincher noted he would expect there to be activities at other times besides Sunday.

Mr. Pille asked if they had plans for a school. Mr. Tincher stated they did not have any plans for any kind of school. Ms. Gauger asked if there would be a sign. Mr. Tincher stated there would be. Mr. Tincher noted the property is currently farmed and a large portion will continue to be farmed even once the structure is built. Mr. Clinch asked about weddings and funerals regarding traffic. Mr. Tincher stated they would expect to have those kinds of services as most churches would.

The dimensions are 100 x 176 for the roof however not all of that space is inside, some is exterior porches. The total square foot of the structure under roof is 17,600 sq.ft. Ms. Gauger asked how close the bicycle path is to the property. Mr. Tincher stated he was unaware of the bicycle path. It was discussed that it is approximately ½ mile away.

Mr. Clinch asked about the composition of the parking area. Mr. Tincher stated that it will be concrete, the storm water plan will account for the in the required drainage. Ms. Jording informed the Board that the road is a County Highway.

Ms. Holmes asked if there were any interested parties. Ms. Jording noted that she did not receive any interested party forms. Mr. Gibson discussed that anyone that did not fill out the interested party form and send it back in could not speak until public comment at the end.

Ms. Jording reviewed the list of notification, that were sent. There were individuals in the audience that stated they did not receive notices. They discussed they would like the petition continued to next month. The audience asked if a continuance would be considered. Ms. Holmes noted that would not be up to her, she asked the petitioner if they wished to continue. Mr. Tincher stated they are not interested in a continuance on the petition at this time. Ms. Krug asked about the timeline. Mr. Tincher noted that they would like to be in the building before the end of the month. They are prepared to break ground in the next few weeks.

Mr. Tincher discussed that they are having all the drawings completed by an engineer, this includes stormwater and the buildings. The structure will be made of masonry and metal. Ms. Holmes asked about the height of the structure, Mr. Tincher noted that there will be a mezzanine level that will house the mechanicals. Ms. Holmes asked about the parking location. Mr. Tincher stated the parking area will be between the road and the building. He noted that they will have to move the septic, they will be flipping the well and septic locations to meet the required separation between the leach field and the well. Mr. Pille asked about roof load and storm safety areas. Mr. Tincher noted that they will meet roof load, they have discussed a storm shelter but do not have one in the plans at this time. This will be a post frame building on a concrete foundation. Mr. Pille asked if the access will be both directions, Mr. Tincher stated the driveway entrance will have the ability to have two cars side by side and is 24 ft wide at the narrowest point. There was discussion that the road is not a dead-end road. Mr. Tincher discussed that the driveway would slide down to sit at the crest of the road hill. Ms. Jording noted they would need to include a sign in accordance with §154.22.6.G associated with the Special Use. Mr. Tincher asked for this to be included with this Special Use request. The sign will more than likely be lighted. Ms. Holmes asked if there will be a buffer, Mr. Tincher noted they will farm a large portion of the undisturbed ground, likely in corn this year. Mr. Clinch asked about the erosion control and the Sq. ft. of the parking lot. Mr. Tincher explained that the parking and building will sheet flow to a swale which will divert all the water to the retention area, it will then be released slowly. Mr. Tincher noted the parking area will move to the south away from the road. The swales will keep all the water on the property and discharge it slowly into the ditch. Mr. Tincher noted that McLean County has jurisdiction on the road, and they will review the stormwater plan. Ms. Jording noted they would be required to complete a stormwater plan with the Zoning Office per the Ordinance requirements. Mr. Tincher noted that the access road on the property has been used by hunters and several have been given permission to continue using the access. Ms. Gauger asked if the speed limit would be reduced. Mr. Tincher noted that would be a McLean County Highway department decision. Mr. Clinch asked about water and power. Mr. Tincher noted it will be well water and the power will likely go underground but that will be dictated by the power company. Ms. Gauger clarified the ground the church will purchase. Mr. Tincher stated they will purchase from the access lane all the way to the East. Mr. Tincher discussed that the area not covered by the church will be farmed, this will also add to the buffer. Mr. Pille asked where the church is currently held. Mr. Tincher noted that it is currently in a tool shed owned by a parishioner and they need a permanent location. Mr. Pille asked if there were plans for soccer or sports fields. Mr. Tincher stated they did not have plans for that at this time, the primary traffic will be for Sunday services. Mr. Clinch asked about the loss of agriculture land in the Comprehensive Plan. Ms. Krug discussed that the Plan does discuss that development is recommended to occur near other development and towns to minimize the loss of farm ground. Ms. Krug discussed that the Comprehensive Plan talks about respecting nature and the natural resources and recreation areas in the county. Mr. Clinch asked if the church would have to return for a new Special Use if they add things. Ms. Jording explained that if they added a cemetery or a school for example they would have to come back. If it is a small addition to the building or ball fields for use by the church, they would not have to return. Ms. Krug discussed the location of the build and the importance of understanding the rural character of the area. Mr. Pille asked if they would need a Special Use if they needed a maintenance building, they would only need a permit, if they are trying to add something that falls outside what you would typically expect of a church, they would need to file an amendment to the Special Use for instance if they would want a full school, daycare, or cemetery.

**The testimony portion of the hearing was closed.**

### Findings by the Zoning Board of Appeals for Petition 2022-10-S-S:

- A. **Will not be detrimental to the public health, safety, and welfare;** Traffic control coming out of the parking to the road. Permitting will require Commercial Code be followed.
- 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;** There will be a retention pond on the East side of the property, that will provide some buffer from the neighbor.
- C. **Will not be injurious to the district in which it shall be located;** This Use will not be putting out toxic waste. Development will be allowed to continue in the area, this is an Agriculture District.
- D. **Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** This is a very rural property in a conservation type area. Other properties have been developed and built upon in the area.
- E. **That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** Stormwater plans and roads will be placed as required.
- 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;** Traffic congestion is a concern; other than Sundays it is not expected to be significant. The drive entrance was moved to the crown of the road, McLean County Highway department has jurisdiction and requires no limitations, other than weight limits, at this time.
- G. **Is consistent with the Woodford County Comprehensive Land Use Plan.** This is not the best location for this purpose in respect to taking farm ground out of production, however, part of the property will continue to be farmed. This is near a conservation area.

Motion to approve petition 2022-10-S by Pasture Church for a Special Use to operate a Church, located in the Agriculture (AG) District on a 23.54 acre parcel commonly described as vacant ground immediately west of 2579 County Road 300 N., Hudson, Illinois with a sign in accordance with §154.22.6.G. made by Gauger, seconded by Pille.

Roll call vote: Karen Krug – *No*, Kim Holmes – *Yes*, Terry Pille – *Yes*. Teresa Gauger – *Yes*, Marty Clinch - *No*.  
*Motion Carried.*

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**#2022-11-V Worth Township** filed, March 18, 2022, by Toby & Andrea Phillips for a Variance to allow a detached garage 4,200 sq. ft. in size, an increase of 2,640 sq. ft. over the footprint of the dwelling, located in the Residential Single Family (R-1) District on 3.08 acre parcel, described as Lot 30 and 31 Woodland Knolls Subdivision section 19 & 30 T27N-R3W of the 3<sup>rd</sup> P.M. Woodford County, Illinois, and more commonly described as 1300 N. Woodland Ln. Germantown Hills, Illinois.

Toby and Andrea Phillips were sworn in.

**Evidentiary portion of the hearing closed.**

### Findings by the Zoning Board of Appeals for Petition 2022-11-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.** Storage shed is conforming for the district.
- 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.** This is a large parcel; it is somewhat isolated. Variance is needed due to the small house size; the increased height is resolved through increased setback.

- C. **The ZBA has found that the reasons set forth in the application justify the granting of the Variance.** Equipment is setting out which can create an attractive nuisance. This improves the area by cleaning up the lot.
- 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.** The building will be off the road. Housing the equipment inside will be a safer environment for the area and the equipment, it also removes the attractive nuisance.
- 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.** This shed is permitted per the size of the lot, it is restricted due to the small size of the dwelling. The quantity of the equipment needing to be housed is driving the size of the building.

Motion to approve petition Variance to allow a detached garage (60 x 70) 4,200 sq. ft. in size, an increase of 2,640 sq. ft. over the footprint of the dwelling, located in the Residential Single Family (R-1) District on 3.08 acre parcel, described 1300 N. Woodland Ln. Germantown Hills, Illinois. Made by Gauger, seconded by Clinch.

Roll call vote: Kim Holmes – *Yes*, Terry Pille – *Yes*, Marty Clinch – *Yes*, Teresa Gauger – *Yes*, Karen Krug – *Yes*.  
*Motion Carried.*

- Other Business to Come Before the Board:
  - Update on previous months petition/s: All petitions were approved
  - Update on next month petition/s: Ms. Jording noted there is 1 Variance.
- Public Input – None
- Executive Session – None
- Adjournment

Mr. Clinch made the motion to adjourn at 8:16, 2<sup>nd</sup> by Ms. Krug. *Motion Carried.*

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 Lisa Jording, Secretary

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 Kim Holmes, Chairman

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 Date