

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room
1837 S. Main St. Eureka, IL
6:00 P. M. Tuesday, August 23, 2022

- Call to Order:

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

- Roll Call: Teresa Gauger, Karen Krug, John Obery, Blake Otto, and Marty Clinch were present.

Ms. Gauger declared a quorum present.

Others present: Erik Gibson and Lisa Jording

Motion to nominate Teresa Gauger as acting chairman made by Clinch, seconded by Krug. *Motion Carried.*

- Approval of minutes.

June 28, 2022

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

July 26, 2022

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

- Swearing in/ Affirmation – Completed for each petition.
- Presentation of Petitions

#2022-15-S Cazenovia Township filed July 7, 2022, by Christopher Kee for a Special Use to allow the property owner to reside in a 5th wheel travel trailer until such time the house may be reconstructed following a catastrophic fire in the Agricultural District, on 5 acres, Lots 1 & 3 S ½ SE ¼ Section 14, T28N-R2W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 2021 County Road 1300 E. Lowpoint, Illinois.

Christopher and Michelle Kee were sworn in.

Mr. Kee explained that his house burned down and was under insured, they are looking to live in a fifth wheel travel trailer until the price of materials come down. He noted they will hook into the septic that was existing for the house adjacent to the trailer. (this house was on a different lot and burned down as well but the site is now owned by the Kee's). Electrical hookup will come from the pole barn and is underground. They will utilize water from the well on the property.

The septic line has been placed underground into the existing septic to prevent freezing. They are hoping to drill a new well for the future home before winter.

Ms. Jording noted that no interested parties were filed.

The board asked about the contingency plan if prices do not come down. Mr. Kee noted the plan is to convert part of the pole barn into living space. The possibility of placing conditions on the SUP for time restrictions and septic requirements were discussed.

Evidentiary portion of the hearing closed.

Findings by the Zoning Board of Appeals for Petition 2022-15-S:

- A. Will not be detrimental to the public health, safety, and welfare;** Septic, well and electrical in place. Landowner has knowledge of the septic installation guidelines to follow for septic installation.
- 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;** Location is not detrimental to any neighbors. Septic is installed correctly and contingency plan if prices do not come down is in place.

- C. **Will not be injurious to the district in which it shall be located;** not detrimental to the district, this will not be harmful to any neighbors.
- D. **Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** nearest neighbor is ¼ mile away, the property is surrounded by fields.
- E. **That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** Utilities are in place, septic needs to be reviewed.
- 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;** No issues with traffic, the ingress/egress is already in place.
- G. **Is consistent with the Woodford County Comprehensive Land Use Plan.** This request is temporary and in agreement with the comprehensive plan.

Motion to approve petition 2022-15-S for Christopher Kee for a Special Use to allow the property owner to reside in a 5th wheel travel trailer until such time the house may be reconstructed following a catastrophic fire in the Agricultural District, on 5 acres, Lots 1 & 3 S ½ SE ¼ Section 14, T28N-R2W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 2021 County Road 1300 E. Lowpoint, Illinois made by Krug, seconded by Obery

With the conditions:

- Health Department shall evaluate the septic system connection for compliance
- Applicant shall demonstrate progress on constructing the permanent dwelling by pulling the building permit for dwelling within 365 days of Special Use approval. If a building permit is not obtained within 365 days applicant shall be required to re-apply for a new Special Use.

Roll call vote: John Obery – *Yes*, Marty Clinch – *Yes*, Karen Krug – *Yes*, Teresa Gauger - Teresa Gauger – *Yes*, Blake Otto – *Yes. Motion Carried.*

#2022-16-V Spring Bay filed July 22, 2022, by Joseph Emary for a Variance to allow a 2400 Sq. ft. shed, which is 699 sq. ft. larger than the footprint of the dwelling in the Residential Single Family (R-1) District on 1.27 acres, N ½ lot 14 & all lot 15 Spring Beach Gardens Subdivision, Section 35, T27N-R4W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 1184 Sunset Dr. East Peoria, Illinois.

Mr. Joseph Emary was sworn in .

Mr. Emary presented that he would like to build a personal storage shed on his property. The shed will have electric only, no plumbing will be installed. He noted the shed will be far enough back on his property that it will be out of the floodplain. He noted the neighbor to the north is ok with the building, the southern neighbor is much further away and likely unaffected. He also noted he would meet his setbacks.

Ms. Jording noted that no interested parties were filed.

The testimony portion of the hearing was closed.

Findings by the Zoning Board of Appeals for Petition 2022-16-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.** No concerns, no other considerations were used to make the determination.
- 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.** No special privilege, although the shed is large the neighbors were notified and no concerns were voiced.

- C. The ZBA has found that the reasons set forth in the application justify the granting of the Variance.** Classic cars and toys require storage, these sheds are permitted. The size is the variable item in this petition.
- 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.** No problem. This will be out of the floodplain. Neighbors have been notified; no issues presented.
- 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.** Only asking for a small increase in size, this request is not going to hurt the neighbors. No concerns were brought before the board.

Motion to approve petition 2022-16-V for Joseph Emary for a Variance to allow a 2400 Sq. ft. shed, which is 699 sq. ft. larger than the footprint of the dwelling in the Residential Single Family (R-1) District on 1.27 acres, N ½ lot 14 & all lot 15 Spring Beach Gardens Subdivision, Section 35, T27N-R4W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 1184 Sunset Dr. East Peoria, Illinois made by Krug, seconded by Clinch

Roll call vote: Marty Clinch – *Yes*, Karen Krug – *Yes*, Teresa Gauger – *Yes*, Blake Otto – *Yes*, John Obery – *Yes*. *Motion Carried.*

- Other Business to Come Before the Board:
 - Update on previous months petition/s: None
 - Update on next month petition/s: Ms. Jording noted there will be no September Hearing
- Public Input – None
- Executive Session – None
- Adjournment

Mr. Clinch made the motion to adjourn at 6:45, 2nd by Ms. Krug. *Motion Carried.*

Lisa Jording, Secretary

Teresa Gauger, Acting Chairman

Date