

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – JANUARY 4, 2017

MEMBERS PRESENT

Barb Lamont, Chairman
Bill Koretke, Vice Chair
Donald Wilson
Andy Freeland
Blake Noland
Dennis Hughes, Alternate Member

COUNTY PERSONNEL PRESENT

Jennifer Hoffman, Planning & Zoning Director
Tracy Sumpter, Planning & Zoning

MEMBERS ABSENT

Ed Leonard, Alternate Member

Chair Lamont called the meeting to order at 8:30.

MINUTES

Donald Wilson made the motion to approve the December 7, 2016 minutes, seconded by Andy Freeland. All members present answering, Aye. Motion Carried (5-0).

OLD BUSINESS:

- 4.1 V-02-11-16 a variance petition filed by Michael Hanneken requesting for minimum setback to be changed from 10 feet to 2 feet in (R-1) Single Family Residential Zoning. This property is commonly known as 5290 Kruse Rd, Mt. Zion, IL in Mt. Zion Township. PIN 12-17-02-351-014.

Ms. Hoffman stated this was approved by ZBA on December 7, 2016.

- 4.2 S-01-12-16 a petition filed by Allied Asphalt (Kent Darst) requesting a Special Use Permit for the operation of an asphalt business in (R-1) Single Family Residential Zoning. This property is commonly known as 2103 S Taylorville Rd, Decatur, IL 62521 in South Wheatland Township. PIN 17-12-28-151-006.

Ms. Hoffman stated this was approved at the December 7, 2016 ZBA meeting, EEHW passed it on December 15, 2016 and it goes to full County Board on January 12, 2017.

NEW BUSINESS:

- 5.1 R-01-01-17 a petition filed by Rodney Naron for rezoning approximately 10.1 acres from (R-1) Single Family Residential Zoning to (RE-5) Single Family Estate Zoning. This property is commonly known as 5353 S 85th St., Dalton City, IL 61925 in Mt. Zion Township. PIN 12-17-01-400-003.

Chair Lamont asked for any persons wishing to speak today to please stand so that she could swear them in.

Rodney Naron
8895 Hunters Crossing
Dalton City, IL 61925

Mr. Naron stated he is currently living at 8895 Hunters Crossing, but he owns the property that he has requested this petition for. He stated he has the property listed for sale, it is 10.1 acres, has a horse barn/stables. It has 2 barns actually, 1 is for cars and that nature. He stated he has people that are interested in the property and they would like to have horses. He always assumed horses were allowed because he had a horse stable. He understands he has to have it rezoned to allow livestock on the property and that is why he has filed the request. Mr. Naron pointed out on the map that the property is surrounded by farmland. Rustling Waters is on the North side across the creek and woods separate the property from the subdivision. It is a remote area, he loves the property, however he lost his wife a couple of years ago and he has had to make some changes.

Mr. Koretke asked Mr. Naron to point out the horse barn on the map. He stated it is the very back building and has 2 stables in it with a dirt floor. The other barn has a concrete floor and is heated.

Mr. Koretke asked if the property is fenced.

Mr. Naron stated it was fenced on the North side at one time, but there is no fence there now. The new owners would have to put a fence in.

Mr. Koretke asked Ms. Hoffman if the 2 possible livestock buildings are 75 feet from the property line.

Ms. Hoffman stated she would assume so, she has not actually measured but just by looking at the map she believes so.

Mr. Naron stated the property width is 250' and the buildings are in the center of the property so there is at least 100' on each side.

Ms. Hoffman was called on to present her finding of facts.

Petition: For rezoning approximate 10.1 acres from (R-1) Single Family Residential to (RE-5) Single Family Estate Zoning.

Parcel Number: 12-17-01-400-003

Location: This property is located at 5353 S. 85th Street in Mt. Zion Township.

Acreage: 10.1 Acres

Zoning: R-1 Single Family Residential

Finding of Facts

- This is a rezoning from (R-1) Single Family Residential to (RE-5) Single Family Estate Zoning.
- The rezoning is needed for the property to be able to have livestock. The Macon County Zoning Ordinance Section 155.118 states that the property shall be zoned RE-5 to be able to house animals.
- The previous owner of the property had horses on it and the barn is set up for them. The current owner does not have them but the property is for sale.
- The zoning department believes that maybe when the subdivision was developed and subdivided in 1995-1996 there was a mistake and this property was rezoned with it too. However, this property was not intended to be rezoned or part of Rustling Waters III.
- The surrounding properties are zoned: (A-1) Agriculture to the east, west, and south. R-1 Single Family Residential zoning to the north which is part of Rustling Waters III addition.
- There was no floodplain on the property.

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EFFECTS ON GENERAL WELFARE: None

EFFECTS ON NEARBY PROPERTY: None

EFFECT ON DEVELOPMENT OF SURROUNDING PROPERTY: None

ADEQUACY OF UTILITIES & FACILITIES: Shall conform to Macon County Ordinance Rules and Regulations.

INGRESS & EGRESS: Adequate if used properly.

CONFORMITY TO REGULATIONS: With the passage of the rezoning by the Macon County Board the property will conform.

STAFF RECOMMENDATION: While you may vote to recommend approval or denial of this petition, staff has inspected the property and staff recommends **approval** of rezoning approximate 10.1 acres from (R-1) Single Family Residential to (RE-5) Single Family Estate Zoning.

Andy Freeland made the motion to approve the petition, seconded by Donald Wilson. All members present voting, Aye. Motion carried (5-0).

Chair Lamont handed Mr. Naron the ZBA Process Letter, which explains the next steps that will be taken on this petition.

Chair Lamont asked Ms. Hoffman if there is anything for next month.

Ms. Hoffman stated we have 4 petitions.

Chair Lamont asked the members to please try to attend and if you are unable to, please call ahead.

ADJOURNMENT: Donald Wilson made the motion to adjourn; Blake Noland seconded. All members present voting, Aye. Motion Carried. (5-0). Meeting adjourned at approximately 8:37 A.M.

Minutes submitted by Tracy Sumpter, Macon County Planning and Zoning Dept.