

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – February 6, 2019

MEMBERS PRESENT

Bill Koretke, Vice Chair
Blake Noland
Ron Grider
Andy Freeland
Dennis Hughes, Alternate Member

COUNTY PERSONNEL PRESENT

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

MEMBERS ABSENT

Barb Lamont, Chair
Ed Leonard, Alternate Member

Vice Chair Bill Koretke called the meeting to order at 8:30.

MINUTES

Blake Noland made the motion to approve January 2, 2019 minutes, seconded by Andy Freeland. All members present answering, Aye. Motion Carried (5-0).

OLD BUSINESS:

- 4.1** S-01-01-19 a petition filed by Novel Energy Solutions/Edgar Lara requesting a Special Use Permit for the construction of a 1MW Community Solar Garden on approximately 10 acres of leased land in (A-1) Agricultural Zoning. The property is located on Kirby Road, Oreana, IL.
PIN 18-08-14-351-007

Mrs. Gunter stated Zoning Board of Appeals approved the petition on January 2, 2019, EEHW approved the petition January 24, 2019 and it goes to full County Board February 14, 2019.

- 4.2** V-02-01-19 a petition filed by K. Brent Pickerill requesting the required front setback be changed from 35 feet to 10 feet in (R-1) Single Family Residential Zoning. The property is commonly known as 3909 Greenswitch Road, Decatur, IL.
PIN 07-07-25-477-007

Mrs. Gunter stated Zoning Board of Appeals approved the petition on January 2, 2019.

Vice Chair Koretke asked Mrs. Gunter to update the members on the solar lottery.

Mrs. Gunter stated she has not heard exactly when the lottery will be but she does know they pushed it back to sometime in February.

Vice Chair Koretke asked for any persons wishing to speak today to please stand so he could swear them in.

NEW BUSINESS:

- 5.1 V-01-02-19 a petition filed by Topflight Grain Coop Inc. requesting the required side setback be changed from 50 feet to 37 feet and the maximum height be changed from 35 feet to 155 feet in (A-1) Agricultural Zoning. The property is commonly known as 594 Emery Road, Maroa, IL 61756.
PIN 10-02-35-100-017

Scott Docherty
Topflight Grain Coop Inc.
420 W Marion St
Monticello, IL 61856

Mr. Docherty stated the proposal is for variance on height and side setback for a proposed new 105' diameter steel tank. He stated it is very similar to the last two tanks that were built at this location. He pointed out on the map where the new tank would be located (SE corner of property). There is a need for Topflight to continue their permanent upright storage. He stated they are blessed in Macon County and East Central Illinois with record yields and they saw those record yields again in 2018. There is a need from their customers for additional storage. There is approximately just under 10 acres on the south side of Emery Road which they have tried to build out permanent storage. On the North side of the road, they have their new scale house that was built last year and driveway for in-bound and out-bound scales. There is no proposed change in traffic patterns for this location so they feel with the additions of the new scale house, traffic is entering and exiting the Emery location at ease and not causing any issues with other traffic. They are just trying to handle the bushels and volume that has grown in this area. They are handling this type of volumes but they are having to handle it through temporary storage, emergency storage and in the pastures they have had corn piles out on the ground. They still have their temporary bunker there and the goal is to eliminate temporary storage and emergency storage. He stated this is the proposal that they would like to continue to build permanent upright storage at this location and many of their other locations because of the increase in volumes and yields that they have been blessed with.

Vice Chair Koretke asked how much room is there between the East side of the bin and the property line. What he is thinking of is if they get a grain fire, will a fire truck be able to get back there.

Mr. Docherty stated the side setback request was for 37 feet and the last drawing he had from their engineering and construction group is 37 feet 11 inches off the East property line. He stated that would allow to still access the East side of the property. The driveway would continue. He pointed out the access on the map. In the future, their plan is to continue to build out the area, at

some point they would like to build another tank to the South to complete a four pack of grain bins.

Mrs. Gunter was called on to present her finding of facts.

Petition: For a Variance, requesting the required side setback be changed from 50 feet to 37 feet and the maximum height be changed from 35 feet to 155 feet in (A-1) Agricultural Zoning.

Parcel Number: 10-02-35-100-017

Location: This property is commonly known as 594 Emery Road in Maroa Township.

Zoning: A-1 Agricultural

Acreage: 9.79 Acre

Finding of Facts

- Petitioner wants to build another grain bin on the property for commercial storage.
- The variance is needed to allow the side setback to be changed from fifty (50) feet to thirty-seven (37) feet. Under the Macon County Zoning Ordinance, Section 155.183 states the side setback is 50 feet in for Agriculture zoning. This same section states the maximum height for Agriculture is 35 feet.
- There is no floodplain on the property.

EFFECTS ON GENERAL WELFARE: None

EFFECTS ON NEARBY PROPERTY: None

EFFECT ON DEVELOPMENT OF SURROUNDING PROPERTY: None

ADEQUACY OF UTILITIES & FACILITIES: Correct

INGRESS & EGRESS: Already existing.

CONFORMITY TO REGULATIONS: With the passage of the Variance, the property will conform.

STAFF RECOMMENDATION: You may vote to approve or deny this petition, or amend as appropriate. Staff has been on site and Staff recommends approval for a variance for the required side setback be changed from 50 feet to 37 feet

and the maximum height be changed from 35 feet to 155 feet in (A-1) Agricultural Zoning.

Blake Noland made the motion to approve the petition, seconded by Ronald Grider. All members present voting, Aye. Motion carried (5-0).

CITIZENS COMMENTS: None.

Vice Chair Koretke asked Mrs. Gunter if the board has anything for next month.

Mrs. Gunter stated we possibly have one variance coming in today.

ADJOURNMENT: Andy Freeland made the motion to adjourn; Blake Noland seconded. All members present voting, Aye. Motion Carried. (5-0). Meeting adjourned at approximately 8:39 A.M.

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