

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – MARCH 3, 2021

MEMBERS PRESENT

Barb Lamont, Chair
Blake Noland
Marcia Potrafka
Adam Brown
Ron Grider
Dennis Hughes, Alternate Member #2

COUNTY PERSONNEL PRESENT

Jennifer Gunter, Planning & Zoning Director
Tracy Sumpter, Planning & Zoning
Debra Kraft, County Board Member
Kevin Greenfield, County Board Chairman

MEMBERS ABSENT

Ed Leonard, Alternate Member #1

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

MINUTES

Blake Noland made the motion to approve February 3, 2021 minutes, seconded by Marcia Potrafka. All members present answering, Aye. Motion Carried (5-0).

OLD BUSINESS:

- 4.1** V-01-02-21 a petition filed by David Davis requesting a variance to change the required minimum lot size from 10 acres to 2.7 acres in (A-1) Agricultural Zoning. The property is commonly known as: 4165 Shaw Road, Lovington, IL 61937
PIN: 12-18-05-200-004

Mrs. Gunter stated the Zoning Board of Appeals approved this petition February 3, 2021

- 4.2** V-02-02-21 a petition filed by David W. Wilson and Kathy S Wilson, Trustees of the DWW Trust, requesting a variance to change the required minimum lot size from 10 acres to 2.16 acres in (A-1) Agricultural Zoning. The property is commonly known as: 3512 E. Walker Road, Macon, IL 62544
PIN: 11-21-05-400-006

Mrs. Gunter stated the Zoning Board of Appeals approved this petition February 3, 2021

- 4.3** V-03-02-21 a petition filed by Paul Christensen requesting a variance to change the required minimum lot size from 10 acres to not less than 1 acre in (A-1) Agricultural Zoning. The property is commonly known as: 1706 Hilvety Road, Moweaqua, IL 62550

PIN: 16-20-13-400-004

Mrs. Gunter stated the Zoning Board of Appeals approved this petition February 3, 2021

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

NEW BUSINESS:

- 5.1** V-01-03-21 a petition filed by Mark & Christine Barringer requesting a variance to change the required side setback from 50 feet to 34 feet in (RE-5) Single Family Estate Zoning. The property is commonly known as: 3657 Heritage Road, Decatur, IL 62521
PIN: 17-12-31-400-021

Mark Barringer
3657 Heritage Road
Decatur, IL 62521

Mr. Barringer stated he would like to move the carport and build 14' out for a master bedroom.

Marcia Potrafka asked Mr. Barringer which side of the house he would be building on.

Mr. Barringer stated the east side. He will move the carport, it is just bolted to the ground.

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

Petition: For a Variance, to change the required side setback from 50 feet to 34 feet in (RE-5) Single Family Estate Zoning.

Parcel Number: 17-12-31-400-021

Location: This property is commonly known as: 3657 Heritage Road, Decatur, IL 62521 in South Wheatland Township.

Zoning: RE-5 Single Family Estate Zoning

Acreage: 7.6 Acres

Finding of Facts

- Petitioner wants to change the required side setback from 50 feet to 34 feet to build an addition onto the existing house.

- The variance is needed to allow the side setback to be reduced by 16 feet. Under the Macon County Zoning Ordinance, Section 155.183 states the side setback for (RE-5) Single Family Estate Zoning is 50 feet.
- The property is not located within the floodplain.

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** of the variance to change the required side setback from 50 feet to 34 feet in (RE-5) Single Family Estate Zoning.

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

5.2 V-02-03-21 a petition filed by Steven A. Lewis requesting a variance to change the required road frontage of 60 feet to 20 feet for lots six (6), seven (7), and eight (8) in Summerfield Estates-Second Addition in (R-1) Single Family Residential Zoning. The property is commonly located on: Long Creek Road, directly north of the current Summerfield Estates Subdivision in Decatur, IL 62521
PIN: 09-13-34-426-011

Steve Lewis
2419 Angle Ct.
Decatur, IL 62521

Mr. Lewis stated he developed the first phase of this subdivision in 2008, the economy did not do so well and it actually slowed down and in the last eleven years he has only built, there are only six homes in the neighborhood. He stated some might ask why he would want to put more money in this, he honestly thought about just selling the property but he cannot even make his initial investment back by just doing that so he decided to try and put some large lots in. He has talked to a few people who have some interest in them. He stated after he did the first phase, the county changed their ordinance to the minimum 1 acre parcel. He stated it is nearly impossible to put curb and gutter roads in on 1 acre lots and even begin to be sellable. He stated Macon County just will not support \$60,000-\$70,000 lots like some other cities. He stated in order to

make it feasible, he needs this variance to cut down so he does not have to put in an extra 500 feet of road in just to feed one lot. The variance is to reduce the 60 feet road frontage down to 20 feet road frontage for three lots.

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

Petition: For a Variance, to change the required road frontage of 60 feet to 20 feet for lots six (6), seven (7), and eight (8) in Summerfield Estates- Second Addition in (R-1) Single Family Residential Zoning.

Parcel Number: 09-13-34-426-011

Location: This property is commonly located on: Long Creek Road, directly north of the current Summerfield Estates Subdivision in Long Creek Township.

Zoning: R-1 Single E-5 Single Family Estate Zoning

Acreage: 31.9 Acres

Finding of Facts

- Petitioner wants to change the required road frontage of 60 feet to 20 feet for 3 lots in a new 11 lot subdivision.
- The variance is needed to allow road frontage access to the properties. Under the Macon County Zoning Ordinance, Section 155.183 states the minimum lot width shall be 100 feet. However, in the Macon County Zoning Ordinance, under definition of a lot states for residential purposes, the lot shall abut on a street or place for at least 60% of the lot width.
- The property is not located within the floodplain.

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** of the variance to change the required road frontage of 60 feet to 20 feet for lots

six (6), seven (7), and eight (8) in Summerfield Estates- Second Addition in (R-1) Single Family Residential Zoning.

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

CITIZEN'S REMARKS: There were no citizen remarks.

Chair Lamont asked if there is anything for next month. Mrs. Gunter stated we do not have anything at this time.

ADJOURNMENT: Marcia Potrafka made the motion to adjourn; Blake Noland seconded. All members present voting, Aye. Motion Carried. (5-0). Meeting adjourned at approximately 8:40 A.M.

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