

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – NOVEMBER 3, 2021

MEMBERS PRESENT

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

COUNTY PERSONNEL PRESENT

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

MEMBERS ABSENT

Adam Brown
Ed Leonard, Alternate Member #1

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

MINUTES

Dennis Hughes made the motion to approve October 6, 2021 minutes, seconded by Blake Noland. All members present answering, Aye. Motion Carried (5-0).

OLD BUSINESS:

- 4.1 S-01-10-21 a petition filed by Stephen & Shannon Comer Jr requesting a Special Use Permit to allow a second residence on the property where a primary residence already exists in (R-4) Single Family Residential Zoning. The property is located at 5874 Apollo Drive, Decatur, IL 62521. PIN: 14-13-03-301-004.**

Mrs. Gunter stated the Zoning Board of Appeals approved this petition October 6, 2021, EEHW approved October 28, 2021 and it will go to full County Board November 10, 2021.

- 4.2 S-02-10-21 a petition filed by Jill Bottrell requesting a renewal Special Use Permit for a pet boarding and grooming business in (A-1) Agricultural Zoning. The property is located at 9645 Boody Road, Macon, IL 62544. PIN: 15-15-35-200-005.**

Mrs. Gunter stated the Zoning Board of Appeals approved this petition October 6, 2021, EEHW approved October 28, 2021 and it will go to full County Board November 10, 2021.

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

NEW BUSINESS:

- 5.1 R-01-11-21 a petition filed by T & G Land Company requesting to rezone approximately 12.91 acres from (R-1) Single Family Residential Zoning to (B-1) Neighborhood Shopping Zone. The property is located at 814 N. Moffett Lane, Decatur, IL 62522. PIN: 04-12-08-376-006.**

Jason Tompkins, General Manager
Bendsen Signs & Graphics
1506 E McBride Ave
Decatur, IL 62526

Mr. Tompkins wanted to thank the board for hearing their case. He is representing T & G Land Company and some of their representatives are present also. He also wanted to thank Mrs. Gunter for helping them through the process. He stated hopefully they received all of the information in their packet, the application itself and some renderings they provided. He stated this is a piece of property located on the west side of town, it is interesting in that it is completely surrounded by City of Decatur zoned properties. In this case, the property is currently being used as a storage facility, people are paying to use the buildings to store things. The petitioner/customer in this situation would like to, in an effort to generate some revenue, is to install a billboard style LED sign. He stated this is a two scale rendering of showing what they would be allowed. Currently the property is zoned (R-1) Single Family Residential zoning and the zoning ordinance for the county does not allow for a sign like this on a residential property. In communication with Mrs. Gunter, the best course of action was to zone this as (B-1) Neighborhood Shopping zoning, which would allow for this type of sign. The client is a private entrepreneur and has various businesses around Decatur where he also has smaller scale LED signs. This would be a larger unit that he would be able to sell "time" to local businesses who may want to advertise for people primarily coming into Decatur from the west. This would be a single sided unit and it would face the eastbound traffic coming into Decatur. It will not be double sided so nothing on the westbound would be visible. There is enough frontage on the property that will allow the sign to be up to 690 square feet. He stated what they see in the rendering in their packet is a 14x48 which fits within those confines and that would be an overall height as 35 feet. He stated that is a little deceiving from that standpoint that the property is behind the railroad tracks so the grade is lower; it is not a towering sign once it is put in place. The rendering he provided is absolutely to scale. The content will be controlled by the client, also, the product is manufactured by a company named Watchfire. There are two main manufacturers of this type of sign in the United States, one is Dechtronics and the other is Watchfire. Watchfire is headquartered in Danville, Illinois so this will be kind of a home grown product. He is pretty proud of that fact as well. One other piece of information, they actually had a lighting study conducted. Lighting is measured in foot candles, a 100 watt lightbulb produces 137 foot candles at one foot away so if you have 100 watt lightbulb one foot away from you it will be 137 foot candles. If you take that 50 foot away, it is .05 and if you take it 100 feet away, it is .01 that is just how they measure lighting. On the front of the lighting study

sheet...the back is most impactful, you can see where the billboard will be located and you can see the distances out that have been measured where light will be emitting. The closest residential property is just over 400 feet away. On the provided chart, at the 70 degree angle which is where that home is, and ironically enough is also owned by the petitioner (T & G Land), the foot candle lighting there is .01 so that would be equivalent to a 100 watt lightbulb at 100 feet away so this will not be a light polluting type of unit. There is also technology incorporated into the signs that allow for example, right now while the sun is out more energy is put into the LED so they are brighter and then at night it automatically backs those down so they are not so bright. He stated that is just a little bit of synopsis obviously from a rate of change, for example how often the signs can change, that is a DOT regulation and that is once every 10 seconds; the message can change once every 10 seconds and on these types of signs there is no animation available in the programming. It is put a message up there, hold it, and then it will change to the next one. He stated obviously the goal of the plan is to generate some revenue on this piece of property. Right now it is primarily used for storage, he thinks also too it should be fair to assume the petitioner is not a billboard company so it will be more affordable for local businesses to maybe buy time for people coming into town from the west.

Blake Noland asked when looking at the light diagram and the closest home it shows the same owner, he just wanted to confirm that.

Mr. Tompkins stated that is correct, the home is owned by the same person. He pointed out some other properties on the map that would not be affected at all from the lighting. He stated if you have driven by the property, it really is an awesome location for this type of sign. He stated he would like to add that what is not accurate about their rendering is they are showing four poles for the sign, this will actually be a single pole structure.

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

Petition: For rezoning, approximate 12.91 acres from (R-1) Single Family Residential Zoning to (B-1) Neighborhood Shopping Zoning.

Parcel Number: 04-12-08-376-006

Location: This property is located at 814 N. Moffett Lane in Decatur Township.

Acreage: 12.9 Acres

Zoning: R-1 Single Family Residential Zoning

Finding of Facts

- This is a rezoning from (R-1) Single Family Residential Zoning to (B-1) Neighborhood Shopping Zoning.

- The rezoning is needed for the 12.91 acres so the landowner can install a digital billboard sign on the property. The Macon County Zoning Ordinance Section 155.135 states the permitted uses for parcels zoned (B-1) Neighborhood Shopping Zoning.
- The surrounding properties are zoned: (M-1) Light Industrial Zoning to the East and (R-1) Single Family Residential Zoning to the north and west. The City of Decatur’s jurisdiction is on the south side of the property across Route 36.
- There is floodplain located on the property on the north side. However, the billboard will not be 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: 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** for rezoning, approximate 12.91 acres from (R-1) Single Family Residential Zoning to (B-1) Neighborhood Shopping Zoning.

Mr. Grider asked if since the zoning is being changed, if in the future they would like to put a business on the property would they just need to come in for a building permit.

Mrs. Gunter stated yes, as long as the business is within the B-1 zoning.

Chair Lamont stated she does not understand the B-1 Zoning.

Mrs. Gunter stated because B-1 is the commercial zoning district. Right now it is zone R-1 which does not allow billboards...

Chair Lamont stated she just didn’t understand the “neighborhood shopping” part of it.

Mrs. Gunter stated B-1 is your first layer of the commercial, then you have B-2 and B-3 which would be your Walmart’s and that kind of thing.

Blake Noland made the motion to approve the petition, seconded by Ron Grider. 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 for next month.

ADJOURNMENT: Ron Grider made the motion to adjourn; Marcia Potrafka seconded. All members present voting, Aye. Motion Carried. (5-0). Meeting adjourned at approximately 8:47 A.M.

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