

## **MACON COUNTY ZONING BOARD OF APPEALS**

### **HEARING MINUTES – FEBRUARY 16, 2022**

#### **MEMBERS PRESENT**

Barb Lamont, Chair  
Ron Grider  
Marcia Potrafka  
Adam Brown

#### **COUNTY PERSONNEL PRESENT**

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

#### **MEMBERS ABSENT**

Blake Noland  
Ed Leonard, Alternate Member #1  
Dennis Hughes, Alternate Member #2

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

#### **MINUTES**

Ron Grider made the motion to approve November 3, 2021 minutes, seconded by Marcia Potrafka. All members present answering, Aye. Motion Carried (4-0).

#### **OLD BUSINESS:**

- 4.1 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.**

Mrs. Gunter stated the Macon County Board approved this petition December, 9 2021.

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

#### **NEW BUSINESS:**

- 5.1 S-02-02-22 a petition filed by Drew & Brittany Burrows requesting a Special Use Permit to use the property as a venue for weddings and personal events in (A-1) Agricultural Zoning. The property is located at 12950 Connors Road, Argenta, IL 62501. PIN: 05-03-14-100-005.**

Brittany Burrows  
12950 Connors Road  
Argenta, IL 62501

Ms. Burrows stated they live on five acres and they have lived there for about two and half years. They have a few different out buildings on the property that are not being used. The previous owners used them for storage of farm equipment. She stated the buildings are still in pretty good shape and they have discussed trying to put in a wedding venue. She stated obviously there is the 1912 Barn in the area with the same type venue and other venues somewhere in central Illinois that could be competition but as she knows right now after talking to 1912 Barn owners, they are trying to sell their property so that will potentially go away from Macon County and on top of that, any competition that they do have are roughly 45 minutes from their location. The one thing they do have that is unique is a quonset building. She explained that a quonset building is not just a barn, it is actually round shaped like an airplane hangar except that it is all wood. She stated you do not see that very often anymore, usually they are metal. She thinks with the demographic that they are going for, the aesthetic, all of those types of things along with many people wanting barn weddings, she thinks it would bring significant revenue not only to Argenta, but in general she believes it would help Macon County in general. She stated that is their goal. It will start with the quonset building, but they also have three grain bins that they will convert into a bar, which will be outsourced, and two of the grain bins would be bridal suites for the parties to utilize and not have to drive to Forsyth or Decatur to stay somewhere or get ready somewhere. They would be able to get ready on the property. She knows that a concern sometimes is traffic. They have five homes on their road and they know a lot of their neighbors are not concerned with it as far as they know. The traffic that would be there would not be significant, it would not be a hazard to the community. There would be no parking on the street, they have a quarter of a mile lane and two other acres outside of where the building is located that would be using for parking. Ms. Burrows showed the board members where parking would be located on a map of her property.

Marcia Potrafka asked about utilities.

Ms. Burrows stated they work with Corn Belt, not Ameren and they have spoken with them. They actually have power out there, the only thing they would need to do is bury the lines so they are not overheard. For sewage, they would actually need to put in a new septic. They would put in a whole new septic system and bathrooms to utilize that. She stated hopefully the restrooms will be placed inside of the quonset building. She stated the quonset is only so big so they need to be sure they are working with the health department to be sure....

Chair Lamont asked about water.

Ms. Burrows stated they have a well and will just run it. She stated they have had their well looked at and was told it would not be an issue but they will install a new well if needed. She stated hopefully they would not need much water, they are providing the land and the building. They will not be cooking or anything like that, things like that would be outsourced. They are possibly thinking of putting in a small kitchenette for caterers but that would just consist of a small sink, which would be the only thing for water besides the restrooms.

Ms. Gunter asked about the bridal suites, she wanted to know if these would be overnight suites or just a room for the wedding party to get ready in.

Ms. Burrows stated her husband does not want anything to do with overnight suites and it is a whole other permit. She stated she is a cosmetologist and has worked many weddings where they would need to go to hotels or something because there is nowhere to get ready. She knows they are twenty-five minutes away to get to them.

Chair Lamont confirmed that it would be “get ready rooms”.

Ms. Burrows agreed and stated they would be two separate areas (bride and groom).

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

Petition: Special Use Permit to use the property as a venue for weddings and personal events in (A-1) Agricultural Zoning.

Parcel Number: 05-03-14-100-005

Location: This property is commonly known as 12950 Connors Road in Friends Creek Township.

Acreage: 5.0 Acre

Zoning: A-1 Agricultural Zoning

### **Finding of Facts**

- The current owners of this property want to hold weddings and other personal events on the grounds in the current Quonset hut located on the property.
- A special use permit is needed because the Macon County Zoning Ordinance (Section 155.008) defines a special use as a use, either private or public, which, because of its unique characteristics, cannot be properly classified as a permitted use in any particular district or districts. Therefore the Special Use Permit is needed because this property is zoned (A-1) Agricultural Zoning.

EFFECTS ON GENERAL WELFARE: The establishment, maintenance, or operation of this Special Use will not be detrimental to the property or surrounding properties.

EFFECTS ON NEARBY PROPERTY: The Special Use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted or substantially diminish and impair property values with the neighborhood.

EFFECT ON DEVELOPMENT OF SURROUNDING PROPERTY:

The establishment of the Special Use Permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

ADEQUACY OF UTILITIES & FACILITIES: No known issues.

INGRESS & EGRESS: Adequate parking will be established for the property.

CONFORMITY TO REGULATIONS: With the passage of the Special Use Permit 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** with the following stipulations:

1. This Special Use Permit constitutes a license issued to the named petitioners only. This special use permit is not property nor does it convey any property right. This special use permit is, therefore, not assignable or transferable.
2. Employees shall be family members only.
3. Advertising sign regulations on the subject property shall comply with Macon County Zoning Ordinance.
4. Building permits shall be obtained as required.
5. There shall be no parking on the country roads for any events. Ample parking shall be provided to handle all events on the property.
6. Proof, within 60 days, from an Illinois Department of Public Health Licensed Septic Installer to show that the current septic systems are adequate for all of the events handled by the commercial business. If current systems are not adequately sized, according to code, new private sewage disposal systems must be installed to meet the demand and requirements. Permanent bathroom facilities shall be built on site.
7. Within 60 days, all private water systems will need to be properly construed, and tested yearly to ensure the supply is potable. If said property has events more than 60 days a year, a Non-Community Public Water Supply application must be applied for through Illinois Department of Public Health.
8. If any food is prepared and served at said property, a Macon County Food License will be required and needs to be obtained within 60 days. Licensed catering companies/ businesses from certified kitchens will be approved.

9. Said property and all operations shall be in compliance at all times with all applicable federal, state, and local laws and regulations. Failure to be in compliance may result in the suspension or revocation of this special use permit.
10. Hours of operation for business is 8:00 a.m. to 11:00 p.m., 7 days a week.
11. The maximum occupancy number for the property shall be 200 guests per event.
12. The special use permit shall be for a 2 year period beginning March 10, 2022 and ending March 14, 2024.
13. The Special Use Permit holders are required to apply for a renewal of this special use permit on or before January 3, 2024. Upon a timely application being made, the Zoning Board of Appeals shall hear evidence and testimony regarding compliance with the terms of this special use permit and shall also consider all of the relevant matters related to the issuance of a special use permit and recommended to the County Board whether the renewal should be granted or denied.

Ms. Gunter explained to Ms. Burrows the renewal process so that they do not lapse.

Adam Brown asked about number two on the stipulations. He asked Ms. Gunter what the genesis was behind the requirement that employees must be family members only.

Ms. Gunter stated that normally on a special use permit, it is a family business and they have geared these towards the special use permits.

Adam Brown stated to just think about if you brought in a part time employee...

Ms. Gunter stated yes and that is something that the board can change. She stated that it was part of some other petitions that had been approved so she just pulled from those. If the board wishes to change it, they have that ability.

Marcia Potrafka asked Ms. Burrows what her expectation was.

Ms. Burrows stated it would mainly be herself and her husband however, they have three children in sports so there would be times they would need to step away for a softball tournament or something like that and until Adam Brown said that, she did not realize that would not be an option for them. She stated they are hopeful to hire, if they decide to get their alcohol permit and the insurance for it, they would be willing to offer the party a bartender. She asked if that would count as an "employee" since they are hiring them?

Ms. Gunter stated no because that would be an outside vendor. She stated she is not telling Ms. Burrows that they cannot hire someone to make a cake for example.

Ms. Burrows asked if someone that is not family, can they not have anyone there to watch over the venue.

The board had a discussion on this topic.

Ms. Burrows asked if the hours of operation listed on the stipulations was Macon County...

Ms. Gunter stated those are the hours that was given to 1912 Barn, she asked Ms. Burrows if she would like to change that.

Ms. Burrows stated she does not mind the 8:00 a.m. but she would like to change it to 11:30 p.m. or midnight because that still gives the wedding party two hours to leave the wedding and go to Bargetta and do whatever they do for the rest of the time.

Chair Lamont stated yes, depending on the time of the wedding.

Ms. Burrows stated if they move forward with a bid for the construction, if they do HVAC or if they don't, that would depend on the time of the wedding with regards to the weather. She also asked about the limit of 200 guests per event and wanted to know if this is because the board already knows the maximum occupancy.

Ms. Gunter stated that would be according to fire code.

Ms. Burrows stated so it could change depending on the fire code.

Ms. Gunter stated they set that amount for 1912 Barn because all of their parking needs to be on site and when she talked to them that is what they said they were comfortable with. She stated 1912 Barn is 200 occupancy and the other wedding venue on Route 36 is 250.

Ms. Burrows stated she is not worried about the parking by any means, they have more than enough land for the parking. She stated the building would play a part in the occupancy because it is smaller.

Ms. Gunter stated they could also put tents out there.

Ms. Burrows stated they are adding a concrete pad on the side of the building so then if people want to do the tents they can have that and just get married inside the building and...

Ms. Gunter stated she believes 1912 Barn puts up a lot of tents.

Ms. Burrows stated yes, their barn is small.

Chair Lamont stated she did not have a problem changing number two of the stipulations (employees shall be family members only) or number ten (hours of operation).

Marcia Potrafka asked about number eleven (maximum occupancy), she stated maybe the wording could just be changed to maximum occupancy of 200 guests or fire code recommendation.

Ms. Burrows stated she has already spoken with the chief and he advised her to just wait and see after the special use permit is approved.

Ron Grider said that only pertains to inside the building, not outside. He stated it says “maximum occupancy for the property”.

Chair Lamont agreed saying it sounds like you can only have 200 people on the property.

Ms. Gunter stated that is what they approved for the last one.

Adam Brown stated they could just add “or limitation of fire code”

Ms. Gunter stated we just do not want them to have 2000 people out there, which is the reason why it is on there.

Ron Grider asked if they could change the maximum occupancy for the property to 300 guests, then whatever the building holds is completely separate.

Ms. Gunter stated yes it is not separated out for 1912 Barn, nothing says that they can only have 75 people in that barn. She stated we just want to make sure there is not a crazy number of people on the property at once. She stated that is why she wrote the stipulations that way.

The members agreed to change the occupancy to 300.

Marcia Potrafka asked about changing the hours of operation.

Chair Lamont stated she did not see a problem changing it for Friday’s and Saturday’s; midnight for Saturday’s...she stated they would just change it to...

Ron Grider stated even if an event was on Wednesday, it is not going to affect the neighbors whether it is on a Wednesday or a Saturday.

Ms. Burrows stated you cannot even see any of the neighbors from her property.

Marcia Potrafka asked about number two “employees shall be family members only”

Ron Grider asked why they just don’t eliminate it.

Adam Brown agreed.

Chair Lamont said she had no problem eliminating that one.

Ron Grider says he just does not think much of that rule.

Chair Lamont stated they will eliminate number 2, they will change the hours of operation to 8:00 a.m. to 12:00 a.m., and they will change the occupancy from 200 to 300.

Marcia Potrafka made the motion to amend the stipulations, seconded by Adam Brown. All members present voting, Aye. Motion carried (4-0).

Adam Brown made the motion to approve the petition, seconded by Marcia Potrafka. All members present voting, Aye. Motion carried (4-0).

**CITIZEN'S REMARKS:** There were no citizen remarks.

Chair Lamont asked if there is anything for next month. Mrs. Gunter stated we have two for next month, a special use permit renewal and a rezoning.

**ADJOURNMENT:** Marcia Potrafka made the motion to adjourn; Adam Brown seconded. All members present voting, Aye. Motion Carried. (4-0). Meeting adjourned at approximately 9:57 A.M.

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