

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – May 4, 2022

MEMBERS PRESENT

Barb Lamont, Chair
Ron Grider
Marcia Potrafka
Blake Noland (@8:31 a.m.)
Dennis Hughes, Alternate Member

COUNTY PERSONNEL PRESENT

Tracy Sumpter, Planning & Zoning
Debra Kraft, County Board Member
Jeannie Durham, County Board Office

MEMBERS ABSENT

Ed Leonard, Alternate Member #1
Adam Brown

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

MINUTES

Marcia Potrafka made the motion to approve April 6, 2022 minutes, seconded by Dennis Hughes. All members present answering, Aye. Motion Carried (4-0).

OLD BUSINESS:

- 5.1 V-01-04-22 a petition filed by Barrett D. Albert requesting a variance to change the required lot size from 10 acres to not less than 1 acre in (A-1) Agricultural Zoning. This property is located to the south of 8519 Norfolk Road, Oakley, IL 62501. PIN: 14-13-12-100-009.**

Ms. Sumpter reported that ZBA approved that on 4/6/2022

Blake Noland is now present.

NEW BUSINESS:

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

- 5.1 V-01-05-22 a petition filed by James Stoutenborough, Drew Stoutenborough, and Kyle Stoutenborough requesting a variance to change the required lot size from 10 acres to not less than 1 acre in (A-1) Agricultural Zoning. This property is located at 509 W Washington Street Road, Maroa, IL 61756. PIN: 10-02-10-100-005**

James Stoutenborough, 25583 Lincoln Road, De Land, Illinois 61839

James Stoutenborough explained that his brother had passed away a few years ago. The family owns all of that ground in divided interest. His share went to his two boys. One lives in

Wisconsin and one in Spencer, Iowa. James said his youngest boy lives in the farmhouse and has some hogs and horses. The two boys that inherited their half of the farm really don't want the upkeep of the buildings. James said his youngest son, Tyler lives there and would like to purchase the house and a couple of the buildings. There is a five acre tract that was surveyed off at the time of James' brother's death. He said they would like to cut that sub-lot in half and allow Tyler to purchase the boys' half out for the house and James would keep the remaining interest in the other half of the five acres which includes the machine shed and his cattle barns because he said he runs a cattle operation out of there. Each portion of that split has a lane entrance to Washington Street. He does have most of the road front property for the house. The house is not as big a deal as the remainder of the five acres coming into James' name because he said he already owns half of it. He will be retaining the half in his name from that. That just segregates from the rest of the farm. He said he still owns, with his nephews, undivided interest in the remainder of the farm.

Marcia Potrafka asked if there were any issues with any of the utilities. James Stoutenborough said no. They are on natural gas and city water. There are separate meters already. Except the water is not, but that is not an issue. He explained that his portion will be his son's when he passes away. It will be willed right to him.

He said they are wanting to do this for two reasons. One is to keep the family farm intact that has been in the family through six generations of kids that have been raised in that house. He said that if his son cannot purchase it, it will be torn down. It will not be rented or sold. Utility wise, it is already split. He said he is not going to build a house on his portion.

Dennis Hughes asked if the drawing was to scale. James Stoutenborough said no, but they are as close as he could do it. He asked how many cattle barns there are. Mr. Stoutenborough said 3.

Ms. Sumpter was called on to present the finding of facts.

Petition:	For a Variance, to change the required lot size from 10 acres to not less than 1 acre in (A-1) Agricultural Zoning.
Parcel Number:	10-02-10-100-005
Location:	This property is commonly located at 509 W. Washington Street Road in Maroa Township.
Zoning:	A-1 Agricultural Zoning
Acreage:	98.71 Acres

Finding of Facts

- Petitioner wants to separate the shed with approximate 5.0 acres from the existing 98.71 acres of farmland.
- Petitioner also wants to separate the house from the parcel. This is allowed without a variance because the house was built prior to 1970. The Macon County

Zoning Ordinance Section 155.100 allows for that separation. The house was built in 1904 according to the property record card.

- The variance is needed to allow the minimum lot size to be reduced from 10 acres to 1 acre. Under the Macon County Zoning Ordinance, Section 155.183 states the minimum lot size for Agriculture is 10 acres.
- 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 for the variance to change the required lot size from 10 acres to not less than 1 acre in (A-1) Agricultural Zoning.

Dennis Hughes made the motion to approve the petition, seconded by Marcia Potrafka. 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. Ms. Sumpter stated at this time we do not have anything for next month.

ADJOURNMENT: Motion was made to adjourn and the meeting adjourned at approximately 8:41 A.M.

Minutes submitted by Jeannie Durham, Macon County Board Office.