

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

### **HEARING MINUTES – August 3, 2022**

#### **MEMBERS PRESENT**

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

#### **COUNTY PERSONNEL PRESENT**

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

#### **MEMBERS ABSENT**

Ed Leonard, Alternate Member #1  
Blake Noland

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

#### **MINUTES**

Marcia Potrafka made the motion to approve May 4, 2022 minutes, seconded by Ron Grider. All members present answering, Aye. Motion Carried (5-0).

#### **OLD BUSINESS:**

- 4.1 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**

Ms. Sumpter reported that ZBA approved that on 5/4/2022

#### **NEW BUSINESS:**

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

- 5.1 V-01-08-22 a petition filed by Alice G. Briggs (owner), Annette Heller (POA) requesting a variance to change the required lot size from 10 acres to 3.5 acres in (A-1) Agricultural Zoning. This property is located at 14175 Briggs Road, Argenta, IL 62501. PIN: 05-04-08-200-008**

Sam Postelwaite, an attorney in Decatur, been practicing here for 37 years and representing Annette Heller and her mother, Alice Briggs on their petition for a variance that has to do with the location where Roger & Alice Briggs lived for many years at 14175 Briggs Road, Argenta, IL 62501. There is a homestead there that sits on about 56 acres. All they want to do is separate off 3.04 acres. Since the petition was filed a survey has been done and it came out to 3.04 acres,

but they want to be able to sell the house and shop and part of the building site off to another family member. In order to do that, a petition for a variance is needed. The ultimate end result is a 3.04 acre building site that has the house and some out buildings. There are some other out buildings there, but an easement has been provided to get from the road to those other outbuildings that the family member would not be purchasing but are used in the farming operation. This will not have any effect on any of the surrounding properties. Nothing is going to change. There have been people living there and now there are going to be other people living there. The farming operation will still be based there.

Ms. Potrafka asked if there are separate utilities for the farm building and the homestead property. Mr. Postelwaite said there is not at the present time. That will be worked out amongst the family members.

Mr. Hughes asked how long the residence has been there. Chair Lamont thought it came in about the 1970s.

**Finding of Facts**      Ms. Sumpter reported

Petition:                      For a Variance, to change the required minimum lot size from 10 acres to 3.5 acres in (A-1) Agricultural Zoning.

Parcel Number:              05-04-08-200-008

Location:                      This property is located at 14175 Briggs Road in Friends Creek Township.

Zoning:                        A-1 Agricultural Zoning

Acreage:                        Approx. 56.09

- Petitioner wants to separate the house from the existing 56.09 acres of farmland.
- The variance is needed to allow the minimum lot size to be reduced from 10 acres to 3.5 acres. Under the Macon County Zoning Ordinance, Section 155.183 states the minimum lot size for Agriculture is 10 acres.
- The petitioner cannot automatically reduce the lot size to one acre minimum because the house was not built prior to 1970.
- Per the Supervisor of Assessment records, the house was built in 1989.
- There is floodplain located on the property on the south and west sides. However, once separated, the floodplain will remain on the farmland portion.

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 3.5 acres in (A-1) Agricultural Zoning.

Ron Grider made the motion to approve the petition, seconded by Adam Brown. 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 have 2 for next month.

**ADJOURNMENT:** Motion was made to adjourn and the meeting adjourned at approximately 8:40 A.M.

*Minutes submitted by Jeannie Durham, Macon County Board Office.*