

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – September 7, 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
Crystal Hugger, County Board Office

MEMBERS ABSENT

Ed Leonard, Alternate Member #1
Blake Noland

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

MINUTES

Dennis Hughes made the motion to approve August 3, 2022 minutes, seconded by Marcia Potrafka. All members present answering, Aye. Motion Carried (5-0).

OLD BUSINESS:

- 4.1 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**

Ms. Sumpter reported that ZBA approved that on 8/3/2022

NEW BUSINESS:

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

- 5.1 V-01-09-22 a petition filed by Central Illinois Regional Dispatch Center (Jon Thomas) requesting a variance to change the maximum height of cell tower from 350 feet to 450 feet in (A-1) Agricultural Zoning. This property is located at 450 W Hilvety Road, Macon, IL 62544
PIN: 16-20-15-300-002**

Jon Thomas, Director of CIRDC - explained they are asking for a variance from the 350' limitation on tower height to be bumped to 450'. The tower will be located in the center of the parcel that will cover the entire southern part of the county from Dalton City all the way to Blue Mound. The 450' is a requirement to get that level of coverage out of one tower. Otherwise,

they would have to build two towers.

Barb Lamont asked, with a tower of that height, if it has to have a light on it. Jon Thomas said yes, and explained that they have FAA approval. There is an airport across (pointed it out on the map), at Hilvety. That caused a little problem and they had to have an extra study done. That has all been done.

Ms. Sumpter reported.

Macon County Finding of Facts/ Recommendation

Central Illinois Regional Dispatch (Jon Thomas)

V-01-09-22

Petition: For a Variance, requesting the maximum height of cell tower be changed from 350 feet to 450 feet in (A-1) Agricultural Zoning.

Parcel Number: 16-20-15-300-002

Location: This property is commonly known as 450 W Hilvety Road, Macon, IL in South Macon Township.

Zoning: A-1 Agricultural

Acreage: 18.36 Acres

Finding of Facts

- Petitioner wants to construct a cell tower which will exceed the allowed maximum height.
- The variance is needed to allow the maximum height be changed from 350 feet to 450 feet. Under the Macon County Telecommunication Tower Ordinance, Section 113.52 states the height of the facility shall not exceed 200 feet, except that if a facility is located more than 1.5 miles from the corporate limits of any municipality with a population of 25,000 or more, the height of the facility shall not exceed 350 feet.
- Access to property is through an easement and right of way recorded in Book 1859, Page 225 in the Macon County Recorder's Office.
- There is no floodplain on the property.

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 a variance to change the maximum tower height from 350 feet to 450 feet in (A-1) Agricultural Zoning.

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

**5.2 V-02-09-22 a petition filed by Amanda Huffman requesting a variance to change the required front setback from 50 feet to 32 feet in (A-1) Agricultural Zoning. this property is located at 9653 Bentonville Road, Lovington, IL 61937
PIN: 09-14-31-300-002**

Amanda Huffman, 9653 Bentonville Road, Lovington, IL 61937 – explained that they are doing an addition. They are 32’ from the property line, but still 57’ from the road past the property line so they are trying to get the variance so they can get the home addition to go through.

Dennis Hughes – Are you adding on a couple of bedrooms. Ms. Huffman confirmed, saying it is a two bedroom right now and they need to make it a four.

Barb Lamont – Which side is the front side. Ms. Huffman said that is a good question. She pointed out on the map where the mailbox is, but there is a door on every side except one so they are not sure which is the front.

Ms. Sumpter stated the front is along Bentonville Road.

Ms. Sumpter reported.

Macon County Finding of Facts/ Recommendation

Amanda Huffman

V-02-09-22

Petition: For a Variance, to change the required front setback from 50 feet to 32 feet in (A-1) Agricultural Zoning.

Parcel Number: 09-14-31-300-002

Location: This property is commonly known as: 9653 Bentonville Road, Lovington, IL 61937 in Long Creek Township.

Zoning: A-1 Agricultural Zoning

Acreage: 4 Acres

Finding of Facts

- Petitioner wants to change the required front setback from 50 feet to 32 feet for a room addition.
- The variance is needed to allow the front setback to be reduced by 18 feet. Under the Macon County Zoning Ordinance, Section 155.183 states the front setback for (A-1) Agricultural Zoning is 50 feet.
- The property is not located within the flood plain.

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 front setback from 50 feet to 32 feet in (A-1) Agricultural Zoning.

Adam Brown made the motion to approve the variance, seconded by Dennis Hughes. All members present voting, Aye. Motion carried (5-0).

CITIZEN'S REMARKS: There were no citizen remarks.

Chair Lamont said there will be a special hearing on September 21, 2022. She asked Ms. Sumpter if there had been any naysayers. Ms. Sumpter said she has had quite a few phone calls, but nothing negative.

ADJOURNMENT: Motion was made to adjourn by Adam Brown, seconded by Marcia Potrafka, motion carried and the meeting adjourned at approximately 8:40 A.M.

Minutes submitted by Jeannie Durham, Macon County Board Office.