

MACON COUNTY ZONING BOARD OF APPEALS

HEARING MINUTES – JANUARY 3, 2024

MEMBERS PRESENT

Barb Lamont – Chair
Ron Grider – Vice Chair
Dennis Hughes
Adam Brown
Marcia Potrafka
Gary Hutchens – Alternate Member #2

COUNTY PERSONNEL PRESENT

Tracy Sumpter – Planning & Zoning
Amy McKinney – Environmental Management
Debra Kraft – County Board Member

MEMBERS ABSENT

Clint Gordon – Alternate Member #1

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

MINUTES

Ms. Potrafka made the motion to approve the December 6, 2023 minutes, seconded by Mr. Brown. All members present answering, Aye. Motion Carried (5-0).

OLD BUSINESS:

- 4.1 V-01-12-23 a petition filed by Rodney Rhoades requesting a Variance to change the required minimum lot size from 10 acres to 3.47 acres in (A-1) Agricultural Zoning. The property is commonly known as IL Route 121, Decatur, Illinois.
Long Creek Township PIN: 09-13-33-351-007 (part of)**

Ms. Sumpter reported that this petition was withdrawn by the petitioner.

- 4.2 S-02-12-23 a petition filed by Classy Grass Services, LLC requesting a Special Use Permit to allow the operation of a landscaping business in (R-1) Single Family Residential Zoning. The property is commonly known as 2855 S Baltimore Ave, Decatur, Illinois.
Long Creek Township PIN: 09-13-29-352-016**

Ms. Sumpter reported that ZBA approved this petition on December 6, 2023, EEHW approved the petition on December 21, 2023, and it will go to full County Board on January 11, 2024.

- 4.3 V-03-12-23 a petition filed by GBJ Enterprise, LLC requesting a Variance to reduce the required side setback from 10 feet to 7.2 feet in (R-1) Single Family Residential Zoning. The property is commonly known as 2855 S Baltimore Ave, Decatur, Illinois.**

Long Creek Township PIN: 09-13-29-352-016

Ms. Sumpter reported that ZBA approved this petition on December 6, 2023, EEHW approved the petition on December 21, 2023, and it will go to full County Board on January 11, 2024.

- 4.4 V-04-12-23 a petition filed by Norman & Mary Ross requesting a Variance to reduce the required minimum lot size from 10 acres to 5 acres in (A-1) Agricultural Zoning. The property is commonly known as 6551 Ocean Trail Road, Decatur, Illinois.
Long Creek Township PIN: 09-13-27-251-005**

Ms. Sumpter reported that ZBA approved this petition on December 6, 2023, EEHW approved the petition on December 21, 2023, and it will go to full County Board on January 11, 2024.

- 4.5 S-05-12-23 a petition filed by Oreana Renewables, LLC requesting a Special Use Permit to allow the development and construction of a solar energy system on approximately 21 acres of an existing 78 acre tract of land and within a 3 year period, obtain a building permit and begin to establish the use in (A-1) Agricultural Zoning. The property is commonly known as the Northeast Corner of Jordan Road and Connors Road, Argenta, Illinois. .
Whitmore Township PIN: 18-08-02-300-004**

Ms. Sumpter reported that ZBA approved this petition on December 6, 2023, EEHW approved the petition on December 21, 2023, and it will go to full County Board on January 11, 2024.

Chair Lamont stated we have 1 hearing today. She then asked that if anyone is wanting to speak on any of the hearings to please all stand up to be sworn in at one time.

NEW BUSINESS:

- 5.1 V-01-01-24 a petition filed by Teresa Cothren requesting a variance to reduce the required front setback from 35 feet to 15 feet in (B-2) Commercial Zoning. The property is commonly known as 5705 E William Street Road, Decatur, Illinois
Long Creek Township PIN: 09-13-09-453-010**

Teresa Cothren approached the podium and stated her name and address.

Ms. Cothren stated she is the owner of the residential property next door and the owner of the property zoned commercial. They are thinking about constructing a new building on the commercial zoned lot and would like to reduce the set back to match up.

Ms. Sumpter stated they want to add a building but they would like it to be lined up with the current building.

Chair Lamont asked, this is just for my curiosity what type of business is it?

Ms. Cothren stated it is a landscape business.

Chair Lamont asked how big of building are they wanting to put on this lot.

Chair Lamont then stated never mind I see it on the plans.

Ms. Cothren stated the measurements on the plans is approximate. It might change a little bit.

Ms. Potrafka asked if the new building will have any utilities in it.

Ms. Cothren said yes, it will be completely finished.

Chair Lamont asked if it would be for maintenance and storage.

Ms. Cothren answered yes, for our equipment.

Mr. Brown asked if the property was on Decatur water and sanitary?

Ms. Cothren stated they just got Long Creek water.

A gentleman that came with Ms. Cothren stated there is still a well on the property as well.

Ms. Potrafka asked if the property had septic or sewer.

Ms. Cothren stated it has a septic system. When they add the new building they will put in a new septic system. There is a septic system for the existing building but the new building will probably take a new one.

Ms. Potrafka asked if they would be changing their driveways at all because it looks like this building is going take up a big part of the horseshoe.

Ms. Cothren said yes, they will expand on the driveway.

Ms. Potrafka asked if they are going to use the same 2 entrances or add another one.

Ms. Cothren stated they will keep the same entrances. The first entrance is on the residential side. I live at 5701 and the business is 5705. Residence is zoned residential and the other is commercial.

Chair Lamont asked if anyone had any questions. There were none.

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

Petition: For a Variance, to change the required front setback from 35 feet to 15 in (B-2) Commercial Zoning.

Parcel Number: 09-13-09-453-010

Location: This property is located at 5705 E William Street Road in Long Creek Township.

Zoning: B-2 Commercial Zoning

Acreage: 1.39

Finding of Facts

- Petitioner wants to construct a new building on the parcel and would like it to be in line with the existing building.
- The variance is needed to allow the required front setback be reduced from 35 feet to 15 feet. Under the Macon County Zoning Ordinance, Section 155.183 states the front setback for (B-2) Commercial Zoning is 35 feet.
- There is no floodplain located 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 the variance to change the required front setback from 35 feet to 15 feet in (B-2) Commercial Zoning.

Chair Lamont asked if there were any questions for Ms. Sumpter.

Ms. Potrafka made motion to approve, seconded by Mr. Grider. All members present voting, Aye. Motion carried (5-0).

Chair Lamont asked if there were any citizen comments. There were none.

Chair Lamont asked if there is anything for next month.

Ms. Sumpter stated at this time we do not have anything.

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

ADJOURNMENT: Mr. Grider made the motion to adjourn; Ms. Potrafka seconded. All members present voting, Aye. Motion Carried. (5-0).

Meeting adjourned at approximately 8:42 A.M.

Minutes submitted by Amy McKinney, Macon County Planning and Zoning Dept.