

COUNTY OF MENARD )  
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STATE OF ILLINOIS )

The Menard County Zoning Board of Appeals (ZBA) met on Monday, April 23, 2012, at 7:00 p.m., at the Menard County Courthouse in Petersburg, Illinois.

Chairman Tom Eldridge called the meeting to order at 7:00 p.m. and took the roll call with the following ZBA members in attendance: Barry Bass, Karen Stott, Steve Wilken, Steve Ozella and Tom Eldridge. A quorum was present. Zoning Administrator Steve Duncan was in attendance and took the minutes.

Minutes from the March 1, 2012 meeting were presented for approval. ZBA member Bass moved to approve the minutes, as presented. ZBA member Wilken seconded the motion. The motion carried unanimously.

### **NEW BUSINESS**

**ADMINISTRATIVE PUBLIC HEARING: (Case number 12-01V) VINTAGE AG ASSOCIATION SEEKING A VARIANCE FROM ARTICLE VI, SECTION 6.08(D)(3)(d) OF THE MENARD COUNTY ZONING ORDINANCE, REQUIRING A MINIMUM, STRUCTURE SETBACK OF ONE HUNDRED TWENTY-FIVE (125) FEET (FROM CENTER OF ILL. ROUTE 97) IN THE B-2 HIGHWAY BUSINESS ZONING DISTRICT. THE VARIANCE REQUEST SEEKS A ONE HUNDRED-FIVE (105) FEET STRUCTURE SETBACK FOR BUILDING CONSTRUCTION. THE BRIEF LEGAL DESCRIPTION FOR THE PROPERTY AFFECTED IS AS FOLLOWS: S10 T18 R7 N OF RT 97 PT MID PT E SIDE W ½ SE, CONTAINING 0.95 ACRES, MORE OR LESS. THE PROPERTY IDENTIFICATION NUMBER IS 11-10-400-007.**

As Chairman Eldridge is a member of the Vintage Ag Association, he recused himself from consideration of this matter. ZBA member Bass moved to approve ZBA member Karen Stott as interim chairperson for consideration of case number 12-01V. ZBA member Wilken seconded the motion. The motion carried with four “ayes”, no “nays” and one “abstain”.

Interim Chairperson Stott opened the public hearing at 7:01 p.m. to give consideration to case number 12-01V.

Interim Chairperson Stott swore-in Chris Becker, representing Vintage Ag Association, to give testimony on the application. Mr. Becker provided an overview of the Vintage Ag Association’s request for a setback variance from center of Illinois Route 97. The variance request seeks a one hundred-five feet structure setback for a building to be used for the storage and maintenance of antique farm equipment with the building being open to the public for viewing of the collection at various times during the year. Mr. Becker highlighted that the project plans included a future addition which would include meeting rooms and a more finished look than the first phase which would be primarily for equipment storage.

ZBA member Bass asked about exterior lighting. Mr. Becker said there would probably be some security lighting but did not see any issues with lights causing any issues with the adjacent public road.

Zoning Administrator Duncan informed that he believed this building was subject to new state law that required a qualified inspector (e.g., licensed engineer or architect) to sign off that such a building was compliant with applicable building codes. As the plan was to essentially utilize this facility as a museum, which is open to the public, Mr. Duncan informed that this provision would need to be met.

As there were no other public comments, ZBA member Ozella moved to close the public hearing at 7:12 p.m. ZBA member Wilken seconded the motion. The motion carried with four “ayes”, no “nays” and one “abstain”.

ZBA member Wilken moved to approve the Finding of Facts (copy on file) and approve the variance request, as presented. ZBA member Bass seconded the motion. The motion carried with four “ayes”, no “nays” and one “abstain”.

**ADMINISTRATIVE PUBLIC HEARING: (Case number 12-02V) LARRY & BONNIE FRICKE SEEKING A VARIANCE FROM ARTICLE VI, SECTION 6.03(D)(3)(a) OF THE MENARD COUNTY ZONING ORDINANCE, REQUIRING A MINIMUM, FRONT YARD SETBACK OF ONE HUNDRED (100) FEET (FROM CENTER OF FAIRGROUNDS ST.) IN THE A-AGRICULTURE ZONING DISTRICT. THE VARIANCE REQUEST SEEKS A FORTY-SIX & ONE-HALF (46.5) FEET FRONT YARD SETBACK FOR BUILDING CONSTRUCTION. THE BRIEF LEGAL DESCRIPTION FOR THE PROPERTY AFFECTED IS AS FOLLOWS: S27 T19 R7 N OF RD NW COR NE NE, CONTAINING 3 ACRES, MORE OR LESS. THE ADDRESS IS 21934 FAIRGROUNDS ST., PETERSBURG, IL. THE PROPERTY IDENTIFICATION NUMBER IS 06-27-200-008.**

Chairman Eldridge became active chairperson again at this point. He opened the public hearing at 7:14 p.m. to give consideration to case number 12-02V.

Chairman Eldridge swore-in Larry Fricke, representing himself, to give testimony on the application. Mr. Fricke provided an overview of his request for a setback variance from center of Fairgrounds Street. The variance request seeks a forty-six and one-half feet structure setback for a storage building. Mr. Fricke informed that there were no issues with easements that existed along the road.

ZBA member Wilken asked if the building would meet setback requirements (10 feet) from the Antonacci property line. Mr. Fricke informed that there were no issues with meeting other setback requirements. Mr. Fricke informed that it was a 30 feet by 40 feet building with a 6 feet overhang on the north side of the building.

ZBA member Ozella asked Mr. Fricke if he had talked to the County Highway Department. Mr. Fricke informed that County Engineer Tom Casson had been on-site. Mr. Duncan informed that both Mr. Casson and he had been on-site and that their main concerns were addressed since the property set well above grade with the adjacent road and easements had been addressed.

As there were no other public comments, ZBA member Stott moved to close the public hearing at 7:23 p.m. ZBA member Ozella seconded the motion. The motion carried unanimously.

ZBA member Bass asked if there were any objections to the request. Mr. Duncan informed that he had not heard a word from the public, either pro or con, on any of the issues on the agenda.

ZBA member Bass moved to approve the Finding of Facts (copy on file) and approve the variance request, as presented. ZBA member Wilken seconded the motion. The motion carried unanimously.

**LEGISLATIVE PUBLIC HEARING: TEXT AMENDMENT PROPOSALS FROM THE COUNTY TO ADOPT NEW ZONING REGULATIONS PERTAINING TO MOBILE & MANUFACTURED HOMES. ARTICLE VI, SECTION 6.13.**

Chairman Eldridge opened the public hearing at 7:26 p.m. to give consideration to text amendments to adopt new zoning regulations pertaining to mobile and manufactured homes, Article VI, Section 6.13.

Chairman Eldridge swore-in Mayor Jim Masten, Village of Tallula, who spoke in support of the proposed text amendment to allow new single-wide mobile homes in the Village of Tallula. He provided a brief overview, informing that there was a disabled veteran who had lost his double-wide mobile home to a fire and that he was asking to replace it with a single-wide. He mentioned declining population and the small lot size in Tallula as other reasons the Village of Tallula's trustees were in support of the text amendment.

ZBA member Wilken asked if the Village of Tallula had regulations about foundations. Mayor Masten mentioned they required skirting, tie downs and use of piers.

ZBA member Bass asked if the community of Tallula sees this as in the public interest. Mayor Masten said the input they had gotten from the public was that they were not in opposition. ZBA member Bass said that he thought that property owners might have a concern about the impact on property values. Zoning Administrator Duncan informed that there had been no concerns expressed as a result of giving public notice on this proposed change, that various commercial uses could be located right between homes in Tallula's zoning district and that the Village of Tallula could decide to take over jurisdiction of their zoning and do as they see in their best interest.

Chairperson Eldridge asked if Tallula could have an exception, where single-wides are allowed, but other areas with the same zoning could not. Mr. Duncan informed he would have to seek the input of the State's Attorney but that the Village of Tallula's legal counsel had suggested such an approach.

As there were no other public comments, ZBA member Ozella moved to close the public hearing at 7:43 p.m. ZBA member Bass seconded the motion. The motion carried unanimously.

There was much discussion between the Zoning Board of Appeals members and Mr. Duncan about the pros and cons of mobile home placement. Mayor Masten was also asked additional questions during this discussion. After this discussion, ZBA member Ozella moved to recommend that the Board of Commissioners adopt text amendments, as proposed, except that the text amendments should be changed to provide for language allowing for replacement of single-wides or double-wides with either single-wides or double-wides, within the Village of Tallula (but not allowing for single-wides to be permitted on vacant properties in the Village of Tallula); add language to require that mobile homes be tied/anchored down; language added requiring skirting in place, with no visible holes or gaps between grade and mobile/manufactured home; and the State's Attorney should be consulted for whether the Village of Tallula can be singled out for the proposed regulation to allow replacement of either single-wides or double-wides with either single-wides or double-wides. ZBA member Stott seconded the motion. The motion carried unanimously.

#### **Unscheduled Public Comments/Requests**

No additional public comments were made at the meeting.

#### **Zoning Administrator's Report**

Zoning Administrator Duncan provided the Zoning Board of Appeals information pertaining to the Huizinga variance requests to be considered at a meeting scheduled for May 21, 2012. Mr. Duncan reminded of new requirements that public body members take the Open Meetings Act training as provided by the Illinois Attorney General's office and provide a copy of the certificate of completion to the County.

#### **Individual ZBA Member Comments**

There were no ZBA member comments.

#### **Adjournment**

As no other business was brought before the Zoning Board of Appeals, ZBA member Bass moved to adjourn the meeting at 8:29 p.m. ZBA member Ozella seconded the motion. The motion carried unanimously.