

WOODFORD COUNTY ZONING BOARD OF APPEALS

Woodford County Board Room
6:00 P. M. Tuesday, May 25, 2021

Minutes

- Call to Order:

Ms. Holmes called the meeting to order at 6:00 pm

- Roll Call: Kim Holmes, Teresa Gauger, Jerry Lay, Karen Krug, and Dean Backer were present.

Ms. Holmes declared a quorum present.

Others present: Erik Gibson

- Approval of minutes.

Motion to approve minutes as amended made by Gauger, seconded by Lay. *Motion Carried.*

- Permit/Petition Extensions

- Swearing in and/or affirmation- completed for each petition.

- Petitions Submitted for Review:

#2021-10-V filed, El Paso Township April 19, 2021, by Dean Hastings for a variance in side yard setback to allow a setback of 23 ft. a reduction of 7 ft., located in the Agriculture District on a 2.13 acre parcel, described as Lot 3 Tamarack Acres, section 36, T26N – R1E of the 3rd P.M. Woodford County, Illinois, and more commonly described as 2586 County Road 500 N. El Paso, Illinois.

- Swearing in and/or Affirmation: was completed for petition **2021-10-V**

Mr. Dean Hastings and Ms. Jording were sworn in.

Mr. Hastings presented that they are wanting to build a 20 x 15 garage addition onto their existing house. Specifically the setback would be reduced 7 ft. on the North end and 3 ft. on the South end. Due to the location of the existing home the addition would need to be closer to the side yard.

Mr. Lay discussed that the owners built the house 25 years ago and were aware of the setbacks at that time. Mr. Hastings noted at the time they built they did not expect to expand. Ms. Holmes questioned as to why the addition could not be placed elsewhere on the property. Mr. Hastings discussed that the power runs down east lot line. The north side of the house has a walkout basement with a significant drop so if the addition was placed behind the existing garage there would be significant dirt work and fill to prevent shifting. The west side has the kitchen and dining room, an additional driveway would have to be installed and several mature trees would have to be removed. He noted the new garage would be setback slightly from the front of the existing garage. The existing drive to the back of the house will not have to be changed. No interested parties signed up and no calls were received by the office. Mr. Lay asked if this was the minimum amount of variance. Mr. Hastings noted that it is wide enough for one vehicle and this is the minimum necessary.

Findings by the Zoning Board of Appeals for Petition 2021-10-V:

A. Non-conforming uses in the same district and permitted uses in other districts shall not be considered grounds for issuance of a Variance (Affirmative) This is not a non-conformity, Garages are allowed in the district.

B. The granting of the Variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands or structures in the same

district. (Affirmative) Neighboring homes have additional structures, the size of the lot will be sufficient for the addition. No special privilege is granted.

- C. The ZBA has found that the reasons set forth in the application justify the granting of the Variance.** (Affirmative) No neighbor concerns presented. There is a hardship due to the unique shape of the lot and the position of the septic.
- D. The ZBA finds that the granting of the Variance will be in harmony with the general purpose and intent of this ordinance and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.** (Affirmative)
- E. The Variance requested is the least amount of Variance required to allow the proposed structure on the existing lot, without regard to aesthetics or personal inconvenience to the property owner.** (Affirmative) This is the least amount of variance for a vehicle and other storage to keep things secured and out of the weather.

Motion to approve petition 2021-10-V for a setback of 23 ft. a reduction of 7 ft., made by Gauger, seconded by Lay.

Roll call vote: Teresa Gauger – *Yes*, Kim Holmes – *Yes*, Jerry Lay – *Yes*, Dean Backer – *Yes*. *Motion Carried.*

#2021-09-S Worth Township filed, April 6, 2021 by Adam Sommer for a Brew Pub, located in the Agriculture District on an 18.9 acre parcel owned by Clinton Sommer, described as Part of Tract 3 NE ¼ T27N-R3W of the 3rd P.M. Woodford County, Illinois, and more commonly described as 1179 Douglas Rd. Metamora, Illinois.

- Swearing in and/or Affirmation: was completed for petition **2021-09-S**

Mr. Sommer was sworn in.

Mr. Sommer discussed that this property has been family farm ground for many years and he wishes to utilize it for family business once again by opening a brew pub tap room to serve his own beer that he brews on site. He discussed that parking is available and could be expanded in the future to allow for additional parking. He has spoken with the Health Department relating to the waste water requirements from the brewing process. The building they would utilize has existing septic and water. There is limited interior seating and a future patio for outdoor seating would provide additional onsite seating. The expected plan is to sell much of the product online with local pickup. Mr. Sommer noted they will not prepare food on site and will have pre-packaged food only. Ms. Holmes asked if a sign would be installed. Mr. Sommer noted he would like a sign in the future. Mr. Sommer discussed that the driveway entrance may be widened in the future to allow two vehicles to pass each other.

Findings by the Zoning Board of Appeals for Petition 2020-09-S:

- A. Will not be detrimental to the public health, safety, and welfare;** (Affirmative)
The operation will not be large enough at the beginning to be detrimental, applicant has worked with Health Department and State to comply with health and safety rules.
- B. Will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purpose already permitted. The applicant need not demonstrate complete compatibility, but the applicant shall demonstrate reasonable efforts to minimize incompatibility;** (Affirmative) The location has good

access from a County Highway.

- C. Will not be injurious to the district in which it shall be located;** (Affirmative) No interested parties were filed.
- D. Will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the districts;** (Affirmative) The surrounding property is agriculture ground, this business will not prevent agriculture or building homes.
- E. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided;** (Affirmative) Applicant has spoken with Health Department and State. Adequate facilities exist, as the business grows requirements will be re-assessed by owner.
- F. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public roads;** (Affirmative) Property is accessed off a County Highway, no traffic problems are expected.
- G. Is consistent with the Woodford County Comprehensive Land Use Plan.** (Affirmative) Protecting Agriculture and encouraging small business is consistent with the plan, proposed use will be growing hops as an Ag product in addition to the brew pub.

Motion to approve petition 2021-09-S for a Special Use to operate a Brew Pub in the Agriculture district made by Lay, seconded by Gauger. With the condition that a sign be allowed in accordance with §154.22.6.G.

Roll call vote:, Kim Holmes – *Yes*, Jerry Lay – *Yes*, Dean Backer – *Yes* Teresa Gauger – *Yes*. *Motion Carried.*

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- Other Business to Come Before the Board:
 - Update on previous months petition/s
All the petitions submitted to the County Board were approved.
 - Update on next month petition/s: Ms. Jording noted there are two petitions for next month. Two Variances, one Map Amendment and one Special Use.
 - Public Input - None
 - Executive Session – None
 - Adjournment

Mr. Lay made the motion to adjourn at 6:45, 2nd by Mr. Backer. *Motion Carried.*

Lisa Jording, Secretary

Kim Holmes, Chairman

Date