

COUNTY OF MENARD)
) SS.
STATE OF ILLINOIS)

The Menard County Zoning Board of Appeals (ZBA) met on Monday, February 29, 2016, at 7:00 p.m., at the Menard County Courthouse in Petersburg, Illinois.

Chairperson Tom Eldridge called the meeting to order and took the roll call with the following ZBA members in attendance: Karen Stott, Steve Wilken, Steve Ozella, and Barry Bass. A quorum was present. Zoning Administrator Brian Hollenkamp was in attendance and took the minutes.

Minutes from the April 2015 meeting were presented for approval. ZBA member Ozella moved to approve the minutes, as presented. ZBA member Wilken seconded the motion. The motion carried with five “ayes”.

NEW BUSINESS

ADMINISTRATIVE PUBLIC HEARING: (Case number 16-01V)

APPLICATION FROM DENNIS & LOIS HARRISON, ACTING ON THEIR OWN BEHALF OR WITH LEGAL REPRESENTATION OR BOTH, THAT SEEKS A VARIANCE FROM ARTICLE IX, SECTION 9.01(B)(4) OF THE MENARD COUNTY ZONING ORDINANCE, REQUIRING THAT WHEN A NON-CONFORMING USE OF A STRUCTURE, OR STRUCTURE AND LAND IN COMBINATION, CEASES FOR 18 CONSECUTIVE MONTHS OR FOR 18 MONTHS DURING ANY 3 YEAR PERIOD THE STRUCTURE, OR STRUCTURE AND LAND IN COMBINATION, SHALL NOT THEREAFTER BE USED EXCEPT IN CONFORMITY WITH THE REGULATIONS OF THE DISTRICT IN WHICH IT IS LOCATED.

THIS 18 MONTH TIME LIMITATION IS CONSIDERED A BULK REGULATION AND THEREFORE QUALIFIES FOR A VARIANCE REQUEST FROM THE STATED TIMEFRAME. THE VARIANCE REQUEST SEEKS AN 18 MONTH EXTENSION FROM MARCH 1, 2015.

Dennis and Lois Harrison were present to represent themselves to give an overview of their application. Chairperson Eldridge opened the public hearing at 7:02 p.m. to give consideration to case number 16-01V. Chairperson Eldridge swore-in Dennis and Lois Harrison for testimony regarding their application. Dennis Harrison stated that nothing has changed since their last variance in September of 2014. They have been trying to sell the property as a restaurant since it closed in 2008.

ZBA member Wilken inquired if there has been any interest in the building. Mr. Harrison stated that someone looked at it a while back, but nothing new had happened recently. ZBA member Bass asked of the condition of the building and what maintenance was being done to it. Mr. Harrison stated it was in good shape and received normal maintenance.

As there were no other public comments, ZBA member Bass moved to close the public hearing at 7:06 p.m. ZBA member Stott seconded the motion. The motion carried with five “ayes”.

There was discussion about whether the building had to be used as a restaurant only, or if it could be used as any commercial use. It was stated that the property could sell more easily if the building had more uses. There was a motion from ZBA member Bass to approve the findings of fact and recommend approval to the Board of Commissioners to extend the special use permit for 18 months to continue “commercial uses” to allow for more marketability. ZBA member Ozella seconded the motion. The motion carried with four “ayes” and one “nay” (Wilken).

Unscheduled Public Comments/Requests

No additional public comments were made at the meeting.

Zoning Administrator's Report

There was no zoning administrator's report

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 Ozella moved to adjourn the meeting at 8:28 p.m. ZBA member Stott seconded the motion. The motion carried with four "ayes" and one "absent" (Bass).