

COUNTY OF MENARD)
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STATE OF ILLINOIS)

The Menard County Zoning Board of Appeals (ZBA) met on Monday, September 16, 2013, at 7:00 p.m., at the Menard County Courthouse in Petersburg, Illinois.

As Chairperson Tom Eldridge was unable to attend, ZBA member Karen Stott moved to appoint ZBA member Barry Bass interim Chairperson. ZBA member Wilken seconded the motion. The motion carried with three “ayes” (Wilken, Stott, Ozella), one “abstain” (Bass) and one “absent” (Eldridge).

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

Minutes from the July 23, 2013 meeting were presented for approval. ZBA member Wilken moved to approve the minutes, as presented. ZBA member Stott seconded the motion. The motion carried with four “ayes” and one “absent”.

NEW BUSINESS

ADMINISTRATIVE PUBLIC HEARING: (Case number 13-02SUP) APPLICATION FROM MID-AMERICA ADVERTISING MIDWEST, INC. THAT SEEKS A SPECIAL USE PERMIT FOR THE PURPOSE OF ESTABLISHING AN OFF-PREMISES ADVERTISING SIGN IN THE B-2 HIGHWAY BUSINESS DISTRICT. THE PROPERTY IS OWNED BY CRAIG REINCKE AND LOCATED AT 14305 STATE HWY. 97, PETERSBURG, IL. A BRIEF LEGAL DESCRIPTION IS AS FOLLOWS: S35 T18 R7 WM ALLEN SUBDIVISION LOTS 5 & 6, APPROX. 2.0 ACRES, MORE OR LESS. THE PROPERTY IDENTIFICATION NUMBER IS 11-35-409-011.

As there were no representatives related to Case Number 13-01SUP in person, or anyone in attendance to discuss said case number, Interim Chairperson Bass opened the public hearing at 7:03 p.m. to give consideration to case number 13-02SUP.

Interim Chairperson Bass swore-in Darla Jorn, representing Mid-America Advertising Midwest, Inc. Ms. Jorn gave an overview of an application to receive a special use permit to erect an off-premise sign on property owned by Craig Reincke at 14305 State Hwy. 97. She informed the sign would be identical to the sign erected on property owned by Jay Bradford.

ZBA member Bass had questions about what standard was being used in siting off-premise signs. Zoning Administrator Duncan informed that he relied on the special use permit section of the zoning ordinance to give guidance on what was permissible for off-premise signs. He informed he is not relying on the bulk regulations of the applicable zoning district or regulations in the sign section of the zoning ordinance. He informed that he has asked the applicant to set the sign back at least 60 feet from the center of Hwy. 97 which would provide for ½ of the necessary right of way (50 feet) plus an additional 10 feet (which is a standard setback in the sign section of the zoning ordinance as applied to on-premise signs in the B-2 zoning district). He informed that he did not think setbacks were enforceable (other than a sign could not be located in right of way or off property) to off-premise signs as the zoning ordinance was silent on setbacks for such signs.

As there were no other public comments (no members of the public were in attendance), ZBA member Ozella moved to close the public hearing at 7:14 p.m. ZBA member Stott seconded the motion. The motion carried with four “ayes” and one “absent”.

ZBA member Bass questioned when signs would become excessive. He informed he has visited the area and highlighted the large number of signs already in the area, which acts as the approach to the City of Petersburg. ZBA member Wilken concurred with ZBA member Bass. ZBA member Ozella mentioned that from a business point of view, such signs helped to highlight business in Petersburg and the area.

After discussion, ZBA member Wilken moved to approve the findings of fact and recommend approval of the special use permit application, conditioned upon evidence being provided of an Illinois Department of Transportation permit. ZBA member Stott seconded the motion. The motion carried with four “ayes” and one “absent”.

(Case number 13-01SUP) APPLICATION FROM MENARD COUNTY ROAD DISTRICT 5 THAT SEEKS A SPECIAL USE PERMIT FOR THE PURPOSE OF ESTABLISHING A PUBLIC ROAD DISTRICT FACILITY IN THE AGRICULTURE ZONING DISTRICT. THE PROPERTY IS CURRENTLY OWNED BY LINCOLN LAND FS, INC. AND LOCATED OFF ATTERBERRY ST (DIRECTLY SOUTH OF ATTERBERRY). A CURRENT, BRIEF LEGAL DESCRIPTION IS AS FOLLOWS: APPROX. 6 ACRES, MORE OR LESS, OFF THE SOUTH END OF 10 ACRES OFF THE N END OF THE E ½ OF THE SE ¼ OF THE NE ¼ OF S31 T19 R7. THE CURRENT PROPERTY IDENTIFICATION NUMBER IS 06-31-200-005. IF THE SPECIAL USE PERMIT IS GRANTED, A 2 ACRE PARCEL, MORE OR LESS, WILL BE CREATED & CONVEYED TO MENARD COUNTY ROAD DISTRICT 5. THIS NEW PARCEL WILL BE LOCATED OFF OF ATTERBERRY STREET AND SPLIT OFF FROM THE EXISTING PARCEL, DESCRIBED ABOVE.

As there was no representatives of Menard County Road District #5 in attendance, Zoning Administrator Duncan called and left a message with Road District #5 Commissioner Robert Wethington. Mr. Wethington called back within a few minutes and informed that he had forgotten the meeting but would come in immediately.

ZBA member Wilken moved to recess the meeting at 7:20 p.m. to wait on Mr. Wethington’s arrival. There were no members of the public in attendance. ZBA member Ozella seconded the motion. The motion carried with four “ayes” and one “absent”.

The meeting reconvened at 7:44 p.m. upon Mr. Wethington’s arrival.

Interim Chairperson Bass opened the public hearing at 7:44 p.m. to give consideration to case number 13-01SUP.

Interim Chairperson Bass swore-in Robert Wethington, representing Menard County Road District #5. Mr. Wethington gave an overview of an application to receive a special use permit to erect a public road district facility on property currently owned by LincolnLandFS. He informed he was looking to erect a 120 ft. by 70 ft. building (application indicated 120 ft. by 60 ft.).

Zoning Administrator Duncan asked Mr. Wethington to confirm that he was seeking a variance from the front yard setback requirement to be allowed to place concrete, material bunkers no closer than 75 feet from the center of Atterberry Street (setback standard at this location is a minimum of 100 feet from the center of Atterberry Street). Mr. Wethington confirmed that the variance request was correct.

As there were no other public comments (no members of the public were in attendance), ZBA member Ozella moved to close the public hearing at 7:53 p.m. ZBA member Stott seconded the motion. The motion carried with four “ayes” and one “absent”.

After discussion, ZBA member Ozella moved to approve the findings of fact and recommend approval of the special use permit application and variance request (as applied for by the applicant). ZBA member Stott seconded the motion. The motion carried with four “ayes” and one “absent”.

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 8:01 p.m. ZBA member Stott seconded the motion. The motion carried with four "ayes" and one "absent".