

COUNTY OF MENARD     )  
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STATE OF ILLINOIS     )

The Menard County Zoning Board of Appeals (ZBA) met on August 10, 2011 at 7:00 p.m., at the Menard County Courthouse, Petersburg, Illinois. Zoning Board of Appeals members Karen Stott, Barry Bass, Steve Ozella and Steve Wilken were present. Zoning Board of Appeals member Tom Eldridge was not in attendance. A quorum was present. Zoning Administrator Steve Duncan was also present.

As Chairperson Eldridge was not in attendance, Zoning Administrator Duncan called the meeting to order at 7:00 p.m. and asked for nominations to serve as interim chairperson. ZBA member Bass moved to name ZBA member Stott, interim chairperson. ZBA member Wilken seconded the motion. The motion carried with three “ayes”, no “nays”, one “absent” and one “abstain” (Stott).

Minutes from the June 15, 2011 meeting were presented for approval. ZBA member Ozella moved to approve the minutes, as presented. ZBA member Bass seconded the motion. The motion carried with four “ayes”, no “nays” and one “absent”.

**NEW BUSINESS**

**LEGISLATIVE PUBLIC HEARING: (Case number 11-01MA) ZONING MAP AMENDMENT APPLICATION FROM RONALD POND TO RE-ZONE PROPERTY HE OWNS LOCATED AT 501 N. YATES ST., TALLULA, IL. THE BRIEF LEGAL DESCRIPTION OF THE PROPERTY IS AS FOLLOWS: PART OF LOT 13, COUNTY CLERK'S PLAT #3, SOUTHEAST ¼, SECTION 1, TOWNSHIP 17 NORTH, RANGE 6 WEST OF THE 3<sup>RD</sup> PRINCIPAL MERIDIAN, CONTAINING 7 ACRES, MORE OR LESS. THE PROPERTY IDENTIFICATION NUMBER IS 15-01-400-008. THE PROPOSAL IS TO AMEND THE CURRENT ZONING OF THE PROPERTY FROM B-1 DOWNTOWN BUSINESS TO RURAL RESIDENTIAL.**

Interim Chairperson Stott opened the public hearing at 7:02 p.m. to give consideration to Ronald Pond's application for a map amendment to re-zone property he owns at 501 N. Yates St., Tallula, Illinois from B-1 Downtown Business to Rural Residential.

Interim Chairperson Stott swore-in Ronald Pond who provided an overview of the map amendment application. Mr. Pond informed the ZBA that the property located directly north of his property (Hembrough) had been re-zoned to Rural Residential and it contained fewer acres than his property. He informed that he was getting several cuttings of hay off his property. Mr. Pond provided several exhibits including a letter from the farmer who had been cutting hay off the property for many years and many pictures of the property. He provided a letter with signatures informing that the property had a past history of having livestock on the property.

As there were no other public comments, ZBA Member Bass moved to adjourn the public hearing at 7:05 p.m. ZBA Member Ozella seconded the motion. The motion carried with four “ayes”, no “nays” and one “absent”.

ZBA Member Wilken asked if the Zoning office had received any comments, including from the Village of Tallula, about the map amendment application. Zoning Administrator Duncan informed that his office had sent a letter to the Village of Tallula and that he had heard no positive or negative comments from the Village of Tallula or general public.

ZBA Member Bass asked if any properties were zoned B-1, north of this property. Zoning Administrator Duncan informed that the Hembrough was the property north of the Pond property and it was now zoned Rural Residential. ZBA Member Ozella asked how much of the Village of Tallula was zoned B-1. Zoning Administrator Duncan stated that the zoning office had the corporate boundaries of Tallula as B-1 (except for the Hembrough property which was re-zoned to Rural Residential).

ZBA Member Bass asked who owned the property that had horses located near the Pond property. Zoning Administrator Duncan informed that would be the Hembrough property. ZBA Member Ozella asked if there was any restriction on the number of horses (or livestock) could be kept on the property. Zoning Administrator Duncan informed that the County was no longer regulating the number of livestock and there was no maximum number, outside of State of Illinois law that would regulate large scale livestock facilities.

ZBA Member Wilken moved to send a recommendation to approve the map amendment application to the Menard County Board of Commissioners, as presented. ZBA Member Ozella seconded the motion. The motion carried with four "ayes", no "nays" and one "absent".

**ADMINISTRATIVE PUBLIC HEARING: (Case number 11-04V) MICHAEL BLASKO APPLICATION TO SEEK A VARIANCE FROM ARTICLE VI, SECTION 6.04(D)(2) OF THE MENARD COUNTY ZONING ORDINANCE, REQUIRING A MINIMUM LOT WIDTH OF 200 FEET EXTENDING TO A DISTANCE EQUAL TO ANY FRONT SETBACK REQUIREMENT WITH 200 FEET OF FRONTAGE ON A PUBLIC ROAD MEASURED AT THE FRONT SETBACK LINE. THE VARIANCE REQUEST SEEKS A SIXTY (60) FEET MINIMUM LOT WIDTH. THE BRIEF LEGAL DESCRIPTION FOR THE PROPERTY AFFECTED IS AS FOLLOWS: S21 T18 R6 W PT NW NE, CONTAINING 11.0 ACRES, MORE OR LESS. THE PROPERTY IDENTIFICATION NUMBER IS 12-21-200-008. THE PROPERTY IS LOCATED AT 21445 INDIAN POINT AVE., PETERSBURG, IL.**

Interim Chairperson Stott opened the public hearing at 7:13 p.m. to give consideration to an application from Michael Blasko seeking a variance from Article VI, Section 6.04(D)(2) Rural Residential Zoning District Regulations so as to create a new parcel at 21445 Indian Point Avenue with sixty (60) feet of public road frontage.

Interim Chairperson Stott swore-in Michael Blasko who gave a brief overview of his application. Zoning Administrator Duncan informed that it was his understanding that there was 127 feet of public road frontage that made up Mr. Blasko's property but it was not contiguous with 60 feet of public road frontage where the property was actually accessed and 67 feet located at the opposite end of the property that Mr. Blasko was looking to convey. Mr. Blasko concurred with Mr. Duncan's understanding.

As there were no other public comments, ZBA Member Bass moved to adjourn the public hearing at 7:16 p.m. ZBA Member Wilken seconded the motion. The motion carried with four "ayes", no "nays" and one "absent".

ZBA Member Bass asked if the Zoning Office had received any feedback on the variance application. Zoning Administrator Duncan informed that he had received no feedback concerning this application.

ZBA Member Bass moved to approve the finding of facts and the variance request, as proposed. ZBA Member Wilken seconded the motion. The motion carried with four "ayes", no "nays" and one "absent".

**LEGISLATIVE PUBLIC HEARING: TEXT AMENDMENTS PROPOSED BY THE COUNTY TO AMEND ZONING REQUIREMENTS TO PROVIDE FOR THE FOLLOWING:**

**DEFINITIONS**

**AMEND ARTICLE III, SECTION 3.01 TO PROVIDE AN AMENDED DEFINITION OF BED & BREAKFAST WITH THE FOLLOWING LANGUAGE BEING CONSIDERED FOR ADOPTION "AS IS" OR WITH MODIFICATION: Bed and Breakfast. A building, or portion thereof, providing accommodations for a charge to the public with no more than 5 guest rooms for rent, in operation for more than 10 nights in a 12 month period, where breakfast or other meals may be provided to the guests only. Bed and Breakfast establishments shall not include motels, hotels, boarding houses, or food service establishments.**

**A-AGRICULTURE DISTRICT**

**AMEND ARTICLE VI, SECTION 6.03 TO PROVIDE BED AND BREAKFAST ESTABLISHMENTS AS A PERMITTED ACCESSORY USE TO THE PRINCIPAL USES OF PROPERTY "FARMS". "CONVERTED FARM RESIDENCES" & "SINGLE FAMILY DWELLINGS"**

**RR-RURAL RESIDENTIAL DISTRICT**  
**AMEND ARTICLE VI, SECTION 6.04 TO PROVIDE BED & BREAKFAST ESTABLISHMENTS AS A PERMITTED ACCESSORY USE TO THE PRINCIPAL USE OF PROPERTY "FARMS" & "SINGLE FAMILY DWELLINGS"**

Zoning Administrator Duncan informed the Zoning Board of Appeals that Menard County residents Eric and Gail Adamski had approached the Board of Commissioners to ask if they would provide text amendments to the zoning ordinance that would allow them to convert a barn on their property into a bed and breakfast establishment. The Board had directed him to take steps to provide for Bed and Breakfast establishment, as being presented

Interim Chairperson Stott opened the public hearing at 7:20 p.m. to give consideration to several text amendments to provide for bed and breakfast establishments as an allowable accessory use in the Agriculture and Rural Residential Zoning District Regulations.

Interims Chairperson Stott swore-in Gail Adamski, 21648 Old Farm Avenue, who spoke in support of the proposed text amendments and provided a brief overview of their plans to renovate a barn on their property to a small bed and breakfast establishment.

As there were no other public comments, ZBA Member Ozella moved to adjourn the public hearing at 7:25 p.m. ZBA Member Wilken seconded the motion. The motion carried with four "ayes", no "nays" and one "absent".

ZBA Member Bass expressed that he thought that State of Illinois law required the owner of a bed and breakfast to occupy the establishment. There was a discussion about the location of the Adamski's proposed bed and breakfast establishment.

Zoning Administrator Duncan informed that he had not heard any positive or negative comments from the public.

ZBA Member Bass moved to send a recommendation to approve the text amendments to the Menard County Board of Commissioners, as presented. ZBA Member Ozella seconded the motion. The motion carried with four "ayes", no "nays" and one "absent".

There was a discussion among the ZBA about the possibility of conflicts arising between farmers and owners of bed and breakfast establishments.

**Unscheduled Public Comments/Requests**

There were no unscheduled public comments/requests.

**Zoning Administrator's Report**

Zoning Administrator Duncan asked if the Zoning Board would be available to meet on September 1, 2011 for another meeting. ZBA members in attendance indicated they should be available. Mr. Duncan provided a preview of two variance applications that needed to be considered by the ZBA.

**Individual ZBA Member Comments/Requests**

There were no additional ZBA member comments/requests.

**Adjournment**

As no other business was brought before the Zoning Board of Appeals, ZBA member Bass moved to adjourn the meeting at 7:52 p.m. ZBA member Ozella seconded the motion. The motion carried with four "ayes", no "nays" and one "absent".