

CITY OF OLNEY  
BOARD OF APPEALS  
APRIL 2, 2018

AGENDA #1 “CALL TO ORDER” The April 2, 2018, meeting of the Board of Appeals was called to order at 7:00 p.m. in the Council Chambers of the Olney City Hall, 300 S. Whittle Avenue, Olney, Illinois, with Tony Zuber presiding.

AGENDA #2 “ROLL CALL” The following Board of Appeals members were present: Belinda Henton, Tony Zuber, Barb Roberts, and David Abell. Kurt Ginder, Scott Jones, and Pat Everette were absent. Also present were Code Enforcement Officer Mike Mitchell, City Attorney Bart Zuber, and City Clerk Kelsie Sterchi.

AGENDA #3 “APPROVE MINUTES OF THE BOARD OF APPEALS MEETING ON FEBRUARY 5, 2018” Mrs. Henton moved to approve the minutes of the Board of Appeals meeting on February 5, 2018, seconded by Mr. Abell. Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Abell voted yes. There were no opposing votes. The motion carried.

AGENDA #4 “SWEARING IN” Mr. Zuber asked that anyone wishing to testify on behalf of the items being discussed to stand and be sworn in. City Clerk Sterchi asked the individuals to stand, raise their right hand, and “swear to tell the truth, the whole truth and nothing but the truth so help me God.” Jason Kern and Jason Griffy were sworn in.

AGENDA #5 “VARIANCE: VACANT LOT ON E. MAIN STREET WITH PROPERTY TAX I.D. NUMBER 06-34-411-032” TrustBank submitted a Request for Variance for the property located at the vacant lot on E. Main Street with property tax I.D. number 06-34-411-032. TrustBank was requesting a variance in the requirements in Title 17 (Zoning) of the City of Olney Municipal Code regarding a storage or parking garage as an accessory building. If the variance is approved, it would allow the petitioner to place a portable building without a main building on the property.

Mrs. Roberts asked if the building on temporary blocks at the proposed site was the building that TrustBank was interested in for the variance. If so, Mrs. Roberts wondered where the building would be placed if the variance was granted.

Mr. Kern replied that the building at the site was the building proposed for the variance. He stated that if the variance was approved, the building was hoped to stay at its current location. Mr. Kern noted that the only reason the building was on-site was because it had arrived earlier than expected.

Mrs. Roberts wondered if there was a possibility that the building could be moved towards the northern part of the lot, adjacent to the fenced enclosure for gas equipment. Mr. Kern felt that moving the building to Mrs. Roberts’ suggested location would obstruct the entrance to the gravel lot. Mr. Zuber added that the building could also create blind spots at the intersection with York Street.

Referencing the City's Comprehensive Plan from 2000, Mrs. Roberts noted the plan's hope of keeping downtown Olney, specifically Main Street, attractive. She understood TrustBank's need to house the mowing equipment, but wondered where they were currently storing their equipment.

Mr. Kern replied that currently, lawn care equipment was being stored in a small, metal shed directly north of the bank's main building. Larger equipment would soon be purchased, and the equipment would no longer fit in that particular shed. Mrs. Roberts wondered if the shed could be expanded instead. Mr. Kern indicated that an expansion would interfere with parking.

Mrs. Roberts wished there was another area to place the proposed storage building, but felt that there did not seem to be an alternative.

Mr. Abell felt that TrustBank would do its part to make certain that the building was kept in good repair, and that the grassy lot also remained attractive. He noted that such appearances directly affected TrustBank's business. Mrs. Henton agreed, adding her appreciation for the bank keeping the grassy area and the large, mature tree.

Mrs. Henton moved to approve the variance request to allow a portable storage building without a main building on the vacant lot located on E. Main Street with property tax I.D. number 06-34-411-032, seconded by Mr. Abell. Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Abell voted yes. There were no opposing votes. The motion carried.

AGENDA #6 "VARIANCE: VACANT LOT ON HICKORY STREET WITH PROPERTY TAX I.D. NUMBER 11-04-401-010" Wabash Communications submitted a Request for Variance for the property located at the vacant lot next to their location on Hickory Street with property tax I.D. number 11-04-401-010. Wabash Communications was requesting a variance in the requirements in Title 17 (Zoning) of the City of Olney Municipal Code regarding a storage or parking garage as an accessory building. If the variance is approved, it will allow the petitioner to place a portable storage building without a main building on the property.

Mrs. Roberts noted that the surrounding area near the proposed variance location was zoned M-1 (Light Industrial District). She wondered why Wabash Communications was asking for a variance instead of re-zoning. Mrs. Henton replied that no matter the zoning, a variance would still be needed for an accessory building on a lot without a main structure.

From the audience, Andy Schuetz told the Board that his understanding was that the proposed building would also be equipped with heating, air conditioning, and electricity.

Representing Wabash Communications, Mr. Griffy told the Board that he had photos of the proposed building, if the Board wished to take a look. He continued that Wabash Communications was hoping for the variance approval so that additional funds would not need to be spent on construction of a building.

Mr. Schuetz then added his support of Wabash Communications' efforts because with their internet service coming in, charges for his building at 801 S. West Street would go from \$399.00 per month from another company to \$60.00 per month with Wabash Communications.

Mrs. Henton asked when Wabash Communications expected to be up and running. Mr. Griffy replied that he could not give a definite date, but that they hoped to have operations going as soon as possible.

Mrs. Roberts moved to approve the variance request to allow a portable storage building without a main building on the vacant lot located on Hickory Street with property tax I.D. number 11-04-401-010.

Mr. Abell asked for clarification to the answer provided on the Request for Variation Application under Question #3, "How do the above site conditions prevent any reasonable use of your land under the terms of the Zoning Ordinance?" Wabash Communications had answered, "Won't allow us to use the building we need."

Mr. Griffy clarified that the answer meant that the Zoning Ordinance would not allow Wabash Communications to place the portable building that they needed to house the equipment for operations.

The motion was seconded by Mrs. Henton. Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Abell voted yes. There were no opposing votes. The motion carried.

AGENDA #7 "PUBLIC COMMENTS/PRESENTATIONS" No one from the public wished to speak.

AGENDA #8 "ADJOURN" Mrs. Henton moved to adjourn, seconded by Mrs. Roberts. Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Abell voted yes. There were no opposing votes. The motion carried.

The meeting of the Board of Appeals adjourned at 7:10 p.m.

Kelsie J. Sterchi  
City Clerk