

CITY OF OLNEY  
BOARD OF APPEALS  
AUGUST 6, 2018

AGENDA #1 “CALL TO ORDER” The August 6, 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: Kurt Ginder, Belinda Henton, Tony Zuber, Barb Roberts, and Pat Everette. Scott Jones and David Abell 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 JUNE 4, 2018” Mrs. Henton moved to approve the minutes of the Board of Appeals meeting on June 4, 2018, seconded by Mr. Everette. Mr. Ginder, Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Everette 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.” Geri Hunt was sworn in.

AGENDA #5 “VARIANCE: 1510 N. Fair Street” Dennis & Geri Hunt submitted a Request for Variance for 1510 N. Fair Street. Mr. and Mrs. Hunt were requesting a variance in the front yard setback to allow a 17-foot setback rather than the 25-foot front yard setback required in Title 17 (Zoning) of the City of Olney Municipal Code. If the variance is approved, it would allow the petitioners to keep a recently placed building on the property.

Mr. Zuber noted that the property at 1510 N. Fair Street technically had two front yards because the property faced both Mack Avenue and N. Fair Street.

Mrs. Henton asked if there was any way that the recently placed building could be moved in order to comply with the setback requirements. Mr. Mitchell replied that the building was moveable, but another building already existed behind it. If complying with the current setback requirements, then two buildings would need to be moved.

Mrs. Henton then asked if the building was 10 feet away from the existing main structure. Mr. Mitchell confirmed.

Referencing a GIS map, Mrs. Henton asked if the house and shed were on the property line. Mr. Mitchell replied that they were not on the property line. He added that the house and shed were also in place before the widening of Mack Avenue.

To clarify, Mrs. Roberts asked if the recently placed building must be 10 feet away from any other existing building. Mr. Mitchell replied that the building would need to be 10 feet away from any main structure only.

Mrs. Roberts then asked if any comments had been received from the neighbors. Mrs. Sterchi had received no comments regarding the variance request.

Mrs. Henton asked for the measurements of the recently placed building. Mrs. Hunt replied that she believed the building was 12 feet by 32 feet. The building lined up evenly with her home, and she noted that other buildings on Mack Avenue were even closer to the street than her house and accessory building. It was noted that the other structures closer to the roadway were grandfathered in after the zoning requirements were put in place.

Because the building had already been placed, Mrs. Henton asked why a building permit and/or variance had not been received prior. Mrs. Hunt replied that the prior resident had ordered and placed the building. It was her understanding that all permissions and permits had been secured. With this knowledge, Mrs. Henton asked where the building was purchased because such businesses should be aware of permit requirements before setting a building. Unsure of the business name, Mrs. Hunt indicated that it was a local business located on Route 130. Mrs. Henton felt that the City should speak with the business. Mr. Mitchell indicated that the business was very aware of the City's requirements, and that he had spoken with them before.

Mr. Zuber moved to approve the variance request for an 17-foot setback rather than the 25-foot front yard setback at 1510 N. Fair Street for the purpose of keeping a recently placed building on the property, seconded by Mrs. Roberts. Mr. Ginder, Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Everette voted yes. There were no opposing votes. The motion carried.

AGENDA #6 "PUBLIC COMMENTS/PRESENTATIONS" No one from the public wished to speak.

AGENDA #7 "ADJOURN" Mrs. Roberts moved to adjourn, seconded by Mr. Ginder. Mr. Ginder, Mrs. Henton, Mr. Zuber, Mrs. Roberts, and Mr. Everette voted yes. There were no opposing votes. The motion carried.

The meeting of the Board of Appeals adjourned at 7:07 p.m.

Kelsie J. Sterchi  
City Clerk