

CITY OF OLNEY
BOARD OF APPEALS
NOVEMBER 7, 2016

AGENDA #1 “CALL TO ORDER” The November 7, 2016, 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: Scott Jones, Belinda Henton, Barb Roberts, Pat Everette, and Tony Zuber. David Abell and Kurt Ginder were absent. Also present were City Attorney Bart Zuber, Code Enforcement Officer Mike Mitchell, and City Clerk Kelsie Sterchi.

AGENDA #3 “APPROVE MINUTES OF THE BOARD OF APPEALS MEETING ON AUGUST 1, 2016” Mrs. Henton moved to approve the minutes of the Board of Appeals meeting on August 1, 2016, seconded by Mrs. Roberts. Mr. Jones, 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 individual to stand, raise his right hand, and “swear to tell the truth, the whole truth and nothing but the truth so help me God.” Thomas T. Taylor V. was sworn in.

AGENDA #5 “VARIANCE: 701 E. NORTH AVENUE” Thomas T. Taylor V. submitted a Request for Variance for the property located at 701 E. North Avenue. Mr. Taylor was requesting a variance in the front yard setback to allow a 3-foot front yard 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 will allow the petitioner to keep a storage building on the property.

Mr. Zuber asked if any comments had been received from neighbors of the property. The City Clerk replied that no comments had been received.

Mrs. Henton asked what Mr. Taylor’s storage building would be used for. Mr. Taylor replied that the building would be used for storage of his tools, materials, supplies, and would also be used as a shop. The building would be used by him only.

Mrs. Henton then asked why Mr. Taylor chose that location to place the storage building versus his property outside of City limits. Mr. Taylor indicated that he has rental properties inside of City limits that he continues to repair and maintain. Having a central location in town would be helpful. Mr. Taylor also noted that the building was placed on a concrete pad that had been there for years, serving no purpose.

Mrs. Roberts noted that the storage building was currently on skids. She was curious if the skids would be removed, and the building could then become a permanent structure. Mr. Taylor replied that he had no current intention of removing the skids. The building also does not have electricity.

Mrs. Roberts then asked if Mr. Taylor owned the other two properties on that lot. Mr. Taylor replied yes. Mrs. Roberts noted that the storage building was actually in better condition than surrounding structures.

Mrs. Henton pointed out that there was not a 10 foot distance between the building and 703 E. North Avenue.

Mrs. Roberts wondered if the debris scattered near 516 S. East Street could be removed and the storage building placed there. Mr. Taylor told the Board that the vehicles on the property were owned by his tenant at that location.

Mrs. Henton wondered who told Mr. Taylor that he would not need a building permit. Mr. Taylor replied that he could not recall, but now understood the requirement.

Mr. Zuber expressed his opinion that the storage building did not detract from the neighborhood, and was not causing an obstruction at the intersection. Mr. Everette agreed, and felt that the storage building actually improved the look of the area.

Mrs. Henton was concerned with the fact that the building was portable and the chance that animals could shelter underneath of the building. Mr. Everette wondered if underpinning could be placed to prevent that issue. Mr. Taylor indicated that he could install underpinning, if necessary. Mr. Zuber pointed out that if the Board tried to dictate such a request, they would need to do that for other structures. With that being said, Mr. Zuber was certain that if any animals became a nuisance that Mr. Taylor would seal the area. Mr. Taylor agreed.

Mrs. Roberts noted that her initial concern was with visibility at the intersection. After viewing the area herself, she determined that visibility was not a problem.

Mr. Jones moved to approve the variance request to allow a 3-foot front yard setback rather than the 25-foot setback at 701 E. North Avenue for the purpose of keeping a storage building, seconded by Mr. Everette. Mr. Jones, Mr. Zuber, and Mr. Everette voted yes. Mrs. Henton and Mrs. Roberts voted no. The motion carried.

AGENDA #6 “PUBLIC COMMENTS/PRESENTATIONS” From the audience, Pastor Tim Loomis commented that he was present as he was under the impression he was to provide the prayer before the meeting. Pastor Loomis was informed that prayer usually took place before Council meetings only.

AGENDA #7 “ADJOURN” Mrs. Henton moved to adjourn, seconded by Mrs. Roberts. Mr. Jones, 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 7:09 p.m.

Kelsie J. Sterchi
City Clerk