

CITY OF OLNEY
BOARD OF APPEALS
MAY 6, 2013

AGENDA #1 “CALL TO ORDER” The May 6, 2013, 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, Greg Eyer, Scott Jones, Rob McClain and Tony Zuber. Also present were City Manager Larry Taylor, Code Enforcement Officer Mike Mitchell and City Clerk Belinda Henton.

AGENDA #3 “APPROVE MINUTES OF THE BOARD OF APPEALS MEETING ON APRIL 1, 2013” Mr. McClain moved to approve the minutes from the April 1, 2013 meeting as presented, seconded by Mr. Eyer. Mr. Ginder, Mr. Eyer, Mr. Jones, Mr. McClain and Mr. Zuber 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 Henton asked them to stand and raise their right hands and “swear to tell the truth, the whole truth and nothing but the truth so help me God.” William Kowa, Mike Pampe, Doug Runyon and Kevin Paddock were sworn in.

AGENDA #5 “VARIANCE: 619 W MAIN” Mike Pampe Plumbing submitted a request for variance for his property located at 619 W. Main Street. Mr. Pampe is requesting a variance to allow off-premise commercial signs to be placed on the property which is located adjacent to an R district rather than at least 50 feet from an R district on a private garage as an accessory, allow signs totaling not more than 300 square feet rather than not more than 72 square feet and allow signs to be placed on the east side of the building located on the property rather than a steel, single or double pedestal. If the variance is approved, it will allow Mr. Pampe to install off-premise commercial signs on his building located at 619 W. Main Street.

No comments were received from the public.

Mr. Eyer moved to approve Mr. Pampe’s variance request for 619 W. Main, seconded by Mr. Jones. Mr. Ginder, Mr. Eyer, Mr. Jones, Mr. McClain and Mr. Zuber voted yes. There were no opposing votes. The motion carried.

AGENDA #6 “VARIANCE: 107 E. BOWER AVENUE” Doug Runyon submitted a Request for Variance for the property located at 107 E. Bower Avenue. He was requesting a variance for an 11-foot back yard setback rather than the 25-foot back yard setback required. If the variance is approved, it will allow Mr. Runyon to remove and rebuild an existing room on the home.

Mr. Runyon explained the rebuilding of the room will have the same footprint as the original room. Mr. Mitchell explained this house was built before the adoption of the Zoning Code.

Mr. Eye moved to approve the requested variance for 107 E. Bower Avenue, seconded by Mr. McClain. Mr. Ginder, Mr. Eyer, Mr. Jones, Mr. McClain and Mr. Zuber voted yes. There were no opposing votes. The motion carried.

AGENDA #7 “VARIANCE: 427 N. MORGAN STREET” William Kowa submitted a Request for Variance for the property located at 427 N. Morgan Street. He is requesting a variance for the south side of his property to allow a 1-foot side yard setback rather than the 6-foot side yard setback required. If the variance is approved, it will allow Mr. Kowa to construct a garage and 2nd floor for living space to the existing home.

One letter opposing the request was received from a neighbor.

Kevin Paddock explained he recently purchased a house in the neighborhood that he is remodeling and will be adding a garage. He believed if he is required to adhere to the setback requirements so should Mr. Kowa. He also did not believe any Board member would want a double story structure that close to their property line. Mr. Paddock has not had an opportunity to talk to Mr. Kowa, but he has talked to his builders.

Mr. Kowa stated he talked with Roger Charleston this afternoon and he staked the property for him. According to Mr. Kowa there is a 3-foot setback instead of the 6-foot setback required. Mr. Mitchell did not believe that was exactly correct. Mr. Mitchell inspected the property and believed there is only a 1 or 2-foot setback from the property line.

Mr. Paddock had a problem allowing someone to build that close to the property line when the exact property line location is not known. He was not opposed to taking out the trees that are near the property line, but it is not known if the trees are on his property or Mr. Kowa's.

Mr. Eyer asked Mr. Kowa if it was accurate that the north side of his house is only 1 foot from the property line. Mr. Kowa replied no, he believed it was roughly 3 feet. Mr. Mitchell agreed it was approximately 3 feet.

Mr. Eyer pointed out because of the small setbacks on both the north and south sides of Mr. Kowa's house, there would be limited access to the backyard.

Mr. Eyer moved to deny the requested variance for 427 N. Morgan, seconded by Mr. Ginder. Mr. Ginder, Mr. Eyer, Mr. Jones, Mr. McClain and Mr. Zuber voted yes. There were no opposing votes. The motion carried.

AGENDA #6 “ADJOURN” Mr. Eyer moved to adjourn, seconded by Mr. Jones. Mr. Ginder, Mr. Eyer, Mr. Jones, Mr. McClain and Mr. Zuber voted yes. There were no opposing votes. The motion carried.

The meeting of the Board of Appeals adjourned at 7:11 p.m.

Belinda C. Henton
City Clerk