

Monroe County Board of Appeals October 5, 2022

The Monroe County Zoning Board of Appeals met October 5, 2022, in the Monroe County Court House, Waterloo, Illinois, with the following members present: Vicki Taake, Mike Kovarik, George Obernagel, and Russell Gregson. Also, present: Chris Voelker and Laura Kipping.

George Obernagel opened the Public Hearing concerning Frederick and Melissa Nehls (Sun Dial Lawn Care) are requesting a Special Use Exception to operate a landscaping business at 4565 EE Road, Columbia, Illinois. Parcel #04-25-400-006. Parcel is zoned A-2.

George Obernagel sworn in those wishing to speak.

Denise Marshall read the Land Use Report from the September Planning Commission Meeting

Documents Reviewed:

1. Letter of Intent:

We are applying for this special permit in order to keep our lawn equipment, trucks and trailers in the buildings that are on this property. We will keep everything contained in the buildings and It is our understanding that previous owner also ran lawn and landscape company as well.

There will be minimal traffic going in and out of property as all of our work is performed at job site and not at this location. This is a small family-owned business with less than 5 employees and no vehicle is larger than an F350 Truck

2. Health Department: N/A

3. Soil and Water Conservation Report: N/A

4. Effect on Comprehensive Plan: N/A

5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: N/A

6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: N/A

7. Present Use of Property: Lawn & Landscape Business

Motion by Dan Davis, second Tim Berg to recommend to grant Frederick and Melissa Nehls (Sun Dial Lawn Care) a Special Use Exception to store lawn care equipment, trucks and trailers, with the conditions of no bulk storage, equipment kept inside, and subject to closing on the property. The property is located at 4565 EE Road, Columbia, Illinois. Parcel #04-25-400-006. Yes – 8, no- 0. Motion passed.

Frederick and Melissa Nehls – Had nothing else to add.

Mike Kovarik – Were there any objections from neighbors?

Laura Kipping – No

Mike Kovarik motioned, second Vicki Taake to grant Frederick and Melissa Nehls (Sun Dial Lawn Care) a Special Use Exception to store lawn care equipment, trucks and trailers, with the conditions of no bulk storage, equipment kept inside, and subject to closing on the property. The property is located at 4565 EE Road, Columbia, Illinois. Parcel #04-25-400-006. Yes – 4, no – 0. Motion passed.

George Obernagel opened the Public Hearing concerning Lenny Schwarze who is requesting a Floodplain Variance to build a grain bin on the property located at 3010 Long Lake Road, Valmeyer, Illinois. Parcel #14-13-300-002.

Chris Voelker – Mr. Schwarze is looking to build a grain bin, along with other bins on the farm.

No other questions.

Vicki Taake motioned, second Mike Kovarik to grant Lenny Schwarze a Floodplain Variance to build a grain bin on the property located at 3010 Long Lake Road, Valmeyer, Illinois. Parcel #14-13-300-002. Yes – 4, no – 0. Motion passed.

George Obernagel opened the Public Hearing concerning Diamond Dirt, LLC are requesting an Area/Bulk Variance to allow a 3-foot setback from the north line subject to being surveyed to verify setback. The property is located at 8850 Levee Road, Valmeyer, Illinois. Parcel #06-02-300-008-000. The property is zoned A-1.

Denise Marshall read the Land Use Report from the September Planning Commission Meeting

Documents Reviewed:

1. Letter of Intent:

Please allow this letter to serve as a proposal for Diamond Dirt, LLC (Brad Weaver & Mark Kramer) to request a set-back variance at 8850 Levee Road, Valmeyer, IL 62295 (Parcel: 06-02-300-008-000).

We own the property located at 8850 Levee Road. Our company name is Diamond Dirt, LLC and our business is selling topsoil. We acquired this land/business in June 2022 and the property has been operated as the current use for 20+ years. Our business is seasonal as the opportunity to harvest top soil is 100.0 percent weather dependent. After the topsoil is harvested it needs to sit and dry out so it can then be shredded and put into bags. Currently we are limited in storage capacity as the soil needs to be stored in a covered/shaded area. Our goal in submitting this variance request is to construct a lean-to (three-sided structure attaching to or abutting the north wall of the north shed) to have the ability to store more top soil, which in turn allows us to operate more consistently as the weather will be less impactful.

We are limited in options for constructing additional storage space due to the topography of the land surrounding the current structures as well as drainage areas. The land slopes downward to the east and south around the existing sheds and Levee Road is located on the west side of the property. In addition, there is storm water drainage for multiple properties on the east side of the current structures, eliminating the option of filling or building an area up. Our best opportunity to accomplish the goal of creating more storage is limited to expanding northward.

It is our understanding that the current set-back requirement in the Agricultural zoning district is 20'. We would like to request a variance to extend a three-sided structure to the north with a new set-back requirement of 3'. It is also our understanding that 3' was the previous set-back in the Agricultural zoning district.

There are approximately 40' between the north shed and the property line; the proposed lean-to or three-sided structure would be built in this area. There are approximately 125' between the property line and the residence of the adjacent land owner. The new structure would be used strictly for storage and we do not foresee the proposed use being impactful on the adjacent property owner in any way.

Please refer to the attached site plan for details referenced above.

We appreciate you taking the time to consider this proposal and please contact us with any questions.

2. Health Department: N/A
3. Soil and Water Conservation Report: N/A
4. Effect on Comprehensive Plan: N/A
5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: N/A
6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: N/A
7. Present Use of Property: Agricultural

Motion by Dan Davis, second Tim Berg to recommend to grant Diamond Dirt, LLC an Area/Bulk Variance to allow a 3-foot setback from the north line subject to being surveyed to verify. The property is located at 8820 Levee Road, Valmeyer, Illinois. Parcel #06-02-300-008-000. Yes – 9, No-0. Motion passed.

Mark Kramer and Brad Weaver – Had nothing to add.

Brad Weaver – Would have drive access from Levee Road

Mike Kovarik – Which way is the lean to going to slope to?

Brad Weaver – This is preliminary – no drawings yet.

Mike Kovarik – It is contingent on the survey.

Vicki Taake – How close is the building on the adjacent property?

Brad Weaver – Around 12 feet.

Mike Kovarik – What are the neighbors using the shed for?

Mark Kramer – For Storage.

Vicki Taake – Is there an issue with the property owner?

George Obernagel – She sold the property to them.

Russell Gregson – How deep does the top soil go?

Brad Weaver – It varies.

George Obernagel – Is there water on the back of the property?

Brad Weaver – It is natural drainage. We would run the water off the back.

Mike Kovarik - What is the distance of the closest property line?

Chris Voelker – 40 feet.

Mike Kovarik – At 32 feet, would give them 8 feet.

Vicki Taake – The back corner is the closest because of the way the property line goes.

Laura Kipping – Neighbor called and said she doesn't have a problem with it as long as they stay on their property.

Brad Weaver – Just at that one point its three feet.

Mike Kovarik motion, second Russell Gregson to grant Diamond Dirt, LLC an Area/Bulk Variance to allow a 3-foot setback from the north line subject to being surveyed to verify. The

property is located at 8820 Levee Road, Valmeyer, Illinois. Parcel #06-02-300-008-000. Yes – 4, no – 0. Motion passed.

Mike Kovarik motion, second Russell Gregson to approve the minutes of September 12, 2022. All aye by voice vote.

Vicki Taake, to adjourn, second Mike Kovarik. All aye by voice vote.

Next meeting – November 2, 2022 – 7:30 pm