

Monroe County Board of Appeals July 1, 2024

The Monroe County Zoning Board of Appeals met July 1, 2024, in the Monroe County Court House, Waterloo, Illinois, with the following members present: George Obernagel, Vicki Taake, Mike Kovarik, Russell Gregson, and Brian Coats. Also, present: George Green, Chris Voelker, Eric Sutton, Ryan Webb, and Laura Kipping.

George Obernagel opened the Public Hearing concerning Tom Nobbe / SNP Properties, LLC who are requesting an area/bulk variance. They are seeking a variance from the hard-surfacing paving requirement detailed in article 40-5-3 Parking Lot Design Standards & Parking Lot Surface. The property is located at 6627 State Route 3, Waterloo, Illinois, 62298. The present zoning classification is I-1 (Light Industrial).

Denise Marshall read the letter of intent.

Document reviewed:

1. Letter of Intent:

Dear Chris,

We are seeking a variance from the hard-surfacing paving requirement detailed in article 40-5-3 Parking Lot Design Standards, Item (E) Parking Lot Surface. The attached sheet AC.03, illustrates strict application of 40-5-3(E) as well as the requested minimum modification to the Parking Lot Surface Requirements:

1. Requested Variance – Reduce parking lot area required to be surfaced with concrete, asphalt, or A-3 seal coat to a continuous apron around the perimeter of the structure. This is indicated with a grey hatch on the attached sheet AC.03.

2. Strict Compliance – As also detailed on the attached sheet AC.03, the required area for concrete, asphalt, or seal coat is indicated with a diagonal cross hatch on the attached site plan. Compliance with this requirement would add 53,995 square feet of impervious surface to the project.

Compliance with 40-5-3 (E) will add 53,995 square feet of impervious surface to the project site. We anticipate the owner will incur an additional \$700,000.00 - \$1,000,000.00 of site costs to comply with this requirement. In addition to the hardship of cost, there is also the practical difficulty of decreased flexibility of site organization. SN Partners will be displaying and storing a large quantity of equipment at a range of scales. What's more, inventory and customer traffic patterns vary greatly by season.

In short, the best site for them is a site that can be constantly rearranged. Making access drives and parking spots permanent to comply with 40-5-3 (E) decreases the site's flexibility by eliminating the ability to shift equipment and designated parking spaces around as inventory and customer traffic change.

Finally, this variance will not alter the essential character of the surrounding area. A survey of adjacent properties along State Route 3 reveals that a majority of businesses having parking areas/ aprons composed primarily of gravel in a manner matching our variance request.

Please do not hesitate to contact me with any questions, comments, or necessary clarifications.

Sincerely,

Kevin J. Wade, NCARB

2. Health Department: No Comment

3. Soil and Water Conservation Report: No Comment

4. Effect on Comprehensive Plan: No Comment

5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: No Comment

6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: No Comment

7. Present Use of Property: Light Industrial

8. Comments:

- Dan Davis – Submitted the following comment since he was unable to attend: An option would be to require the concrete, asphalt or A-3 as a continuous apron around the building. The areas between the two entry drives to be concrete, asphalt or A-3. That the petitioners be allow to place a gravel surface on the remaining open space for equipment display use.
- Carlyle Mueller – Summarized the letter of intent submitted by the architect as mentioned above.
- Tom Nobbe – Showed on the map where the concrete will be. 25 feet out from the building and 30 feet from the backside. The entrances will be concrete. Showed the sections that will be rock. The big problem is financial. There have been a lot of codes that have added costs to the project. The Board approved a number. Already well out of the range. The other thing is that they handle a wide variety of projects. Much of the equipment is on tracks. The tracks would tear the blacktop up. The display area is changed on a daily basis, the season, and the size of the products. It would even tear up the concrete. Concrete would settle and crack. Take pride in keeping the facility looking nice. The existing store the black top is tore up. The Waterloo store looks good. They are not an office building. It is a different use than retail or office. Doesn't make a lot of sense for this business.
- Jane Kolmer – They are asking for the yellow to be concrete. Where will the equipment be?
- Tom Nobbe – Some will be stored in the back and the display in the front. The trucks pick the entrance they are going to enter. It will be kept as nice as the old facility, if not better.
- Alex Knoll – How far is the entrance from Route 3?

- Tom Nobbe – Showed on the map.
- Alex Knoll – There will be concern with dust and gravel subsiding.
- Tom Nobbe – That is correct.
- Alex Knoll – Wouldn't want dust on Route 3.
- Tom Nobbe – Employee parking in the back. Have about 43 employees there now.
- Carlyle Mueller – Moving the old facility to this one?
- Tom Nobbe – Yes. Corporate office upstairs. Moving the office building in town out there too.
- Dave Glosecki – There are different grades of gravel?
- Tom Nobbe – Typically use grade A where it kind of turns to cement.
- Jane Kolmer – What is the outside white shaded area?
- Tom Nobbe – Gravel
- Jane Kolmer – There is a lot of gravel.
- Gene Stumpf – What if there is a compromise?
- Carlyle Mueller – That is pretty much what Dan is saying. The yellow to the front of the building be either concrete, asphalt, or A-3.
- James Agne – On the landscaping are you looking at White Pines or something so you have year-round screening.
- Tom Nobbe – Thinks they have agreed to have White Pines on the West side. Owns the other side.
- Carlyle Mueller – When he sees dealerships in the country, you want to see what they have.
- Jane Kolmer – Might be setting a precedent. Seems like there is a lot of gravel space. Seems like it is more of a financial hardship.
- Tom Nobbe – There are times, we will want larger vehicles out front to promote. There will be people bringing trailers in to unload. It will be an active area out front.
- Walter Wetzel – Will it be similar to the Steelville building.
- Tom Nobbe – Probably better. May change some stuff down the road as it is practical.
- Walter Wetzel – Might add more concrete as time goes on?
- Tom Nobbe – That could be possible.
- Robert Schlegel – Are you open to another product?
- Tom Nobbe – Would certainly look into it.
- Gene Stumpf – The A-3 is going to peel more than the concrete.
- Carlyle Mueller – It would be about the same as any other road in the country.
- Tom Nobbe – Concrete will be difficult to patch.
- Carlyle Mueller – Can see why you wouldn't want the concrete. It would be hard to maintain. Asphalt would be easier, but would not want to put it down immediately. Would want to give it time to settle.
- Tom Nobbe – The entrance would be concrete.
- Eric Sutton – If you do a variance, it stays with the building.
- Alex Knoll – There are five parking spots that are not handicap spots. The rest are gravel.
- Carlyle Mueller – Would be ok with gravel on the two sides and the back.
- Gene Stumpf – Would also be ok with gravel on the two side and the back. Cut the concrete across the front of the building. Would want concrete because of the tracks.

- Carlyle Mueller – Normally we would allow any of the three products.

9. Motion by Gene Stumpf, second Robert Schlegel to recommend to approve the Area/Bulk Variance by Tom Nobbe, SNP Properties, LLC to use gravel on the rear and sides of the building and concrete, asphalt, or A-3 across the front of the building to Route 3 on the property located at 6627 State Route 3, Waterloo, IL. Parcel #10-01-400-007. Yes – 12, No – 1. Motion passed.

George Obernagel sworn in those wishing to speak.

- George Obernagel will abstain due to the fact that he is a partner in SNP Properties.
- Tom Nobbe – The \$700,000-\$1,000,000 is on top of the additional costs that have come with permits, etc. Concerned that the dirt will settle. Black top does not hold up. Concerned with concrete and the new dirt settling. The Waterloo store is weed free and looks nice. Showed on the map the distances around each area. 25 feet around and an additional 10 feet for the parking spots. Wants to do the yellow in rock. Planning Commission asked for a compromise with A-3 from the road to the building and across the front. He agreed to that. Thinks the A-3 surface will probably be the best. Won't have to worry about the concrete breaking up.
- Brian Coats – There would be 20 paved parking spots.
- Tom Nobbe – Showed on the map the paved parking spots versus the A-3.
- Vicki Taake – Will there be additional parking in the yellow.
- Tom Nobbe – Probably not to the right. Just to the left where the numbers are. The technicians will park in the back.
- Brian Coats – Asked if we are worried about setting a precedent.
- Vicki Taake – How do you determine how many parking spots are required?
- Brian Coats – It is in the code.
- Tom Nobbe – We have a lot of floor area, but don't have a lot of customers at any given time.
- Chris Voelker – The variance goes with the property, not the owner.
- Brian Coats – Can we make it conditional?
- Ryan Webb – No. If the property is changed or the use changes then the variance doesn't not go with it.
- Chris Voelker – There is 43 employees.
- Brian Coats – The spots up front are for the customers?
- Tom Nobbe – Yes.

Motion by Mike Kovarik, second Vicki Taake to approve the Area/Bulk Variance by Tom Nobbe, SNP Properties, LLC to use gravel on the rear and sides of the building and concrete, asphalt, or A-3 across the front of the building to Route 3 on the property located at 6627 State Route 3, Waterloo, IL. Parcel #10-01-400-007. Yes – 3, No – 0, Abstain - 2. Motion passed.

George Obernagel opened the Public Hearing concerning Caley & John Homrighausen who are requesting an area/bulk variance. They are requesting this variance of 4 feet because the home was constructed 16 feet from the side property line. The property is located at 6467 H Road, Waterloo, IL 62298. The present zoning classification is A-1 (Agricultural).

Denise Marshall read the letter of intent.

Documents Reviewed

1. Letter of intent:

Dear Monroe County Zoning Office and Members,

We are requesting a variance for the above address to permit us to allow our home, which was unintentionally constructed 16 feet from the property line, rather than the required 20 feet. From the start of the building process, we have received all required permits and inspections required by Monroe County. Our home is almost fully constructed with a completion time of about 2-3 weeks.

The land was initially surveyed upon purchase, and the decision to construct on the south of the property was made due to the property sloping to the east. We never intended on the property being over the setback and were unaware of the 4-foot overage until last month when the neighboring property owner, Joshua Biffar raised concern over his legal and financial liability should his unintentional overspray possibly change the color of our siding/stone exterior. We had TWM come and stake the property to confirm the property line, and it was then discovered that we were 16 feet and not 20 feet from the property line.

Denial of this variance would cause substantial hardship to us. We are currently renting a small apartment with our two children, with a baby due this month. We are hoping to get this variance approved so we can get occupancy on our home.

We are terribly sorry for the discrepancy of the property lines, and thankful for Mr. Biffar's understanding and hope that you will grant us this variance.

Sincerely,

Caley and Johnathan Homrighausen.

2. Health Department: No Comment

3. Soil and Water Conservation Report: No Comment

4. Effect on Comprehensive Plan: No Comment

5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: No Comment

6. Effect on schools, traffic, streets, shopping, public utilities and adjacent properties: Effects adjacent property as the building is closer than permitted.

7. Present Use of Property: Residential/Agricultural

8. Comments:

- Carlyle Mueller – Read the letter of intent as mentioned above. Off of 156 between Waterloo and Hecker.
- Caley Homrighausen – Doesn't have anything to add at this time.
- Carlyle Mueller – At the time it was started, who determined where the property line was?

- Caley Homrighausen – Would assume the contractor. The people who dig, used a GPS to determine the lines.
- Carlyle Mueller – Between the contractor setting the stakes and the people digging the foundation moved the house four feet.
- Caley Homrighausen – And there is no inspection on the lot lines.
- Eric Sutton – They had two piles of dirt (showed on the map). Couldn't see the stakes with the piles of dirt, until they started moving the piles. One of the neighbors came in to complain. Got a surveyor.
- James Agne – How frequent is land traded?
- Caley Homrighausen – The neighbor didn't want to trade.
- Joshua Biffar – Has a straight line that he farms, doesn't make sense to swap for that reason. Carlyle Mueller – When you are farming you love straight lines.
- Dave Glosecki – Does it make sense to require a survey?
- Eric Sutton – We can't do that without an ordinance. If they say they meet the setback, then we go with that, unless we can prove that they aren't. Says it is the contractor's fault.
- Gene Stumpf – The contractor was aware of where the line was?
- Eric Sutton – He should have been.
- Gene Stumpf – How far are you on the house?
- Caley Homrighausen – It is done.
- Jane Kolmer – Is there a compromise that the land owner is comfortable with.
- Joshua Biffar – Read the following letter:
 I own the property directly South of the Homrighausen. The basement was constructed last year. A large dirt pile from the basement was obstructing my view between the foundation and my border until Spring of 2024. After the house was backfilled, I noticed the house was very close to the property line. I went to the courthouse to speak with the county building inspectors. I spoke with Eric Sutton and Chris Voelker. I asked them what the minimum distance should be between the house and my property. They informed me that the building distance was a minimum of 20'. I pulled the building permit which also mentioned the 20' minimum. Eric Sutton informed they visited the site the prior week and thought the house was close to the property line and were also obstructed by the dirt pile. Chris Voelker stated the burden of proof lies with the homeowner to ensure the house is built to compliance as the county is not responsible for surveys to ensure the proper setbacks are met. Both building inspectors informed me they would visit the site and check back with me. The next day Caley Homrighausen's father called me and asked me how to remedy the situation. He stated that he had moved the property stakes towards the house 4' and that they were likely no problems. He stated they would conduct a survey to measure the property line. If the lines were not accurate he informed that Mrs. Homrighausen would find an attorney to draft a letter for liability. After the survey was completed, and the lines were coincidentally off by 4' Mrs. Homrighausen called me (which was the first time we were in contact). She offered a land swap to make up the difference. I declined the offer to keep an agriculture straight line. I informed her that she can proceed with a variance application with the caveat that I wanted a document for liability.

The house is out of compliance. While the house is too close, there is also an egress window extending another two feet. In total the physical house is actually 14' from my property. In light of the situation at hand this is a negative impact to me.

- There has been considerable erosion onto my field and county road ditches.
- The gutters and downspouts are directed to my field.
- The direct negative impact to me for future structures, as I will have to keep my structures an additional 4' from their property line.

This is the only house on H Road and surrounding area that is in violation. The house does not fit in with the rest of the community because it's not centered in the lot.

I believe that the builder carelessly built the house. The situation was a "self-created" hardship. This is from the action from the applicant and not the property characteristics itself. And is not a justification for the variance. They chose to build the house without a proper survey to ensure compliance thus assuming the risk. The cost of compliance should not justify the hardship. The zoning board should treat the house as if it has not been built. And should not use empathy or sympathy as a justification for the approval. This should be a property parcel fact-based decision. They own 10 acres of ground and could have placed the house anywhere. The lot is not exceptionally irregular, shallow, or steep. There are no steep hills that couldn't be managed.

In summary: The house being built too close to the line was self-inflicted. They did not validate the zoning requirements. I would like the board to vote "no" on the variance and uphold the setback requirements that our elected officials have set forth in the county to be followed. A variance is not permitted to vary the provisions of the ordinance.

Thank you,
Joshua Biffar

- Caley Homrighausen – Until he called no one had brought it to their attention.
- Joshua Biffar – It falls on the homeowner's responsibility. The county does not require it to be surveyed. Either the contractor or the digger is the one at fault.
- Mary Biffar – Read the following letter:

Dear Sir/Madam,

I own parcel #08-33-400-001-000 directly west of Homrighausen. I have an agreement with Josh Biffar including the site directly south of Homrighausen. The parcels are managed as a combined Biffar farms operation. I represent two full length borders south and west of the H Road property.

We have made attempts with Homrighausen for an equitable solution at \$0.00 cost and no transfer of land. In return, the ask was to produce a note or letter that waived liabilities for noise, dust, odor, and vegetation. Chemical treatment would have been a nice to have in the unlikely event of overspray. However, I understand, there is zero tolerance for overspray. The Homrighausen parties have failed to produce an agreement or communicate progress or wished.

The proximity of the house to the southern border is less than 20 feet. Nuisance or damages will likely incur during the life of the house due to the nature of agriculture operations and the proximity. The ‘less than desirable’ neighborly conduct in which Homrighausen’s conducted themselves during the < one-year build process leads me to believe this will be high financial risk to my operations in the form of complaints and frivolous law suits for ourselves and future farming generations. It also impacts livestock buildings minimum distance. The ‘less than desirable’ list includes failure to return phone calls, failure to negotiate, trespassing, planting trees to block sunlight from the field, unsafely shooting towards my property (where kids and puppies roam), fireworks in/near my field during the worst drought in 20 years, engaging explosives on my boarder, general trash travel, dumping, etc.

Furthermore, I was witness to a conversation where Mrs. Homrighausen stated that her husband thought the house was too close to the line. Mrs. Homrighausen veto’d her husband because she wanted a side facing garage and driveway. When in fact, 95% of the houses in the surrounding area have a front facing garage. She stated that the builder advised this requirement could only be achieved with the natural topology of the land by minor deviating from (approved) design. This was a choice versus a hardship. The was more than easily avoidable by walking to the existing survey stakes and using a standard tape measure. The property was surveyed (twice) prior to the build by the previous owner/seller. The stakes were, and are still, present and clearly visible to the homeowner, builder, and inspectors. In defense of the inspectors there was a large mound of dirt directly obstructing their ability to properly measure during inspections. Coincidence?

In summary: This 10 are lot, in my opinion, is not irregular shaped, excessively steep or extremely narrow to create a personal burden. As this was a self-created problem; my personal risk must be resolved before proceeding. I recommend you enforce 20’ compliance and vote “no.”

Thank you, Mary Biffar

- Rita Biffar – It could open
- Biffar Farms up for a lawsuit.
- Alan Biffar – Owns property across from the issue. Expects the county to enforce rules. It could open Biffar Farms up for a lawsuit and cause problems. There should be consequences and fines.
- Carlyle Mueller – Planning Commission cannot fine. Just can enforce.
- Eric Sutton – Does not do site inspections. Homeowners are responsible for the setback.
- Caley Homrighausen – If we were told we were too close we wouldn’t have built it there.
- Carlyle Mueller – It is up to the homeowner and the contractor.
- Caley Homrighausen – Assumed the county had to approve it.
- Gene Stumpf – Who is your contractor?
- Caley Homrighausen – KB Contracting.
- Alex Knoll – You are 650 feet from the front pin.
- Jane Kolmer – The right thing was done by getting a survey. The contractor had to ensure it was 20 feet.

- Carlyle Mueller – Feels that the contractor did not go with the markers. But it does go back to the landowner.
- Carlyle Mueller – Read Dan Davis’s Submitted the following comment since he was unable to attend:
 - While I can be empathic towards the financial stress to the owners, they are responsible for adhering to the zoning code setback, especially on a new house. They have 330 feet of frontage and chose to build on the setback line and missed. To grant the variance would be advertising that homeowners can push the code and if they miss, we will always grant a variance. They can negotiate the purchase of a strip of land from the adjoining landowner. Yes, they will probably have to pay a premium. If that fails, they can see what a judge can do for them.
- Caley Homrighausen – Tried to do a land trade or buy land, but Mr. Biffar was not interested.
- James Agne – It is expected if this doesn’t pass, for them to tear down the back of their house.
- Joshua Biffar – Does expect it. Looking for the future generations. Lives out in the county where the setback is 20 feet.
- Alan Biffar – They did not have to build it right there when they have 10 acres.
- Caley Homrighausen – Wouldn’t have applied for the variance, but when I spoke to Mr. Biffar thought this was the thing to do. Did offer to contact a lawyer for an agreement to guarantee that I wouldn’t sue him for overspray, etc.
- Carlyle Mueller – We have a lot of variances of people wanting to build closer to the line. Always ask the question, where are you going to set your ladder if you have to work on your property. Not sure, with 16 feet, if the contractor even stayed on the property.
- Caley Homrighausen – No one has said anything until the house was almost finished.
- Gene Stumpf – What does the contractor say?
- Caley Homrighausen – To file for the variance.
- Alan Biffar – There is nothing steep on the property.
- Carlyle Mueller – Does not look steep.
- Caley Homrighausen – That is what she was told.
- Carlyle Mueller – Thinks she was told wrong then. Alan Biffar – It is even closer with the window. Eric Sutton – The siding was on and getting ready to put up the dry wall when the complaint came in and the dirt was moved.
- Dale Haudrich – Feels for Caley and the situation, but thinks it is going to fall back on the contractor. He is a farmer as well and people in crotch on your land, your land is your land.

9. Motion by Dale Haudrich, second Jane Kolmer to recommend to deny the Area/Bulk Variance by Caley and John Homrighausen to reduce the setback from 20 feet to 16 feet on the property located at 6467 H Road, Waterloo, IL. Parcel #08-33-400-006. Yes – 11, No – 2. Motion passed.

George Obernagel sworn in those wishing to speak.

- Caley Homrighausen – The letter was originally written when first filed for the variance. Mr. Biffar no longer agrees to the variance. Concern that when the County

- did the first inspection in October, it was not brought to our attention and when it was brought to our attention in April we weren't told to stop construction.
- Mike Kovarik – Did you think the contractor put the house in the correct spot?
 - Caley Homrighausen – Was confident that between the County and the Contractor it would be taken care of.
 - Mike Kovarik – Did you tell the contractor where you wanted the house?
 - Caley Homrighausen – Yes. We wanted it as close to the setback as we could. The contractor told us it would be 20-25 feet.
 - Brian Coats – Where are you at with the house?
 - Caley Homrighausen – It is completed. Have not been in contact with the contractor in case we have to take legal action.
 - Brian Coats – It is yours and the contractor's responsibility. There is no code for the county.
 - Vicki Taake – The site plan that was filed, what did it say.
 - Chris Voelker – The site plan says 20 feet.
 - Vicki Taake – Read in the Planning Commission minutes that there is an egress window that is a concern.
 - Chris Voelker – Does not include the window. It is like the eave of the house. We go off the foundation. Don't do site inspectors.
 - Vicki Taake – You are not surveyors.
 - Chris Voelker – It was not obvious until the dirt was moved. Saw it the same time Josh Biffar came in with the concern.
 - Caley Homrighausen – Started the house in October, but wasn't contacted about it until April that there was a problem and were not told to stop construction. Can't get the occupancy permit until this is resolved.
 - Vicki Taake – You asked for it to be built on the setback line.
 - Caley Homrighausen – Yes, as close as we could.
 - George Obernagel – You have not had contact with the builder.
 - Caley Homrighausen – Was referred by his sister, but have since learned he has financial issues. Doesn't want to contact him until we know where this is going to go. Have spoke to a lawyer.
 - Joshua Biffar – Owns the property on the south. Expressed concerns especially the overspray. Accidents do happen and with the house being place that close it increases his chances. And concerned about his potential future plans with the property. They have not contacted him since told about the survey. Not interested in the land swap. Wants the straight line. Have not seen an agreement about the overspray. Initially expressed that they could purchase some property. But not sure how that would work because there is a mortgage. Not sure how much money that would cost.
 - Russell Gregson – Is the field roughly 1320 feet long.
 - Joshua Biffar – Yes.
 - Caley Homrighausen – The house is only 60 feet.
 - Chris Voelker – He has more than 10 acres and could sell a 4 foot strip.
 - Mike Kovarik – Is an agreement even legally doable.
 - Ryan Webb – It is doable, but complicated. Would probably want to protect all future landowners, it would have to be recorded.

- Caley Homrighausen – Said we would draw something up so he wouldn't be liable, but did not think it was fully agreed on by Mr. Biffar.
- Mike Kovarik – This is not going to get resolved with out something. Doesn't think it is her doing and will create a financial hardship.
- Caley Homrighausen – Spoke with him May 6th. Had intention of doing something, but had to filed the variance by May 15th and then had a baby in June. Didn't want to have a lawyer draw it up if he wasn't going to agree. Did speak to him after the surveyor came out and told him that they were too close.
- Vicki Taake – What about the purchase of land.
- Caley Homrighausen – Didn't know that was a possibility until tonight. Haven't spoken. The last time did speak, thought Mr. Biffar was ok with the variance.
- Brian Coats – Cannot believe the builder is not here.
- Alan Biffar – Disagree with the variance and the pile of dirt. It is their responsibility and the contractor. The land was surveyed. They have all of the property on the other side. They did not have to be that close. It is going to be a burden. We farm the land together and if he wants to build something.
- Mike Kovarik – Realize that we don't want this to happen again. But maybe there are some loose ends, that not everything has been worked out.
- Rita Biffar – Agree with what you are saying. Variances are a dime and a dozen. The consensus of the builder is that he can get a variance.
- John Homrighausen – Hired someone to do his job.
- Caley Homrighausen – Would like to get a temporary occupancy permit so can get out of the two-bedroom apartment with three kids and dogs. The small space has been difficult.
- George Obernagel – Can that be done.
- Ryan Webb – No it cannot. There is a code about temporary.
- Caley Homrighausen – The contractor should be responsible. It was confusing that the county doesn't inspect the lines, but then it is required for occupancy. That was a gray area. If Mr. Biffar had not contacted them, no one would have known.
- Russell Gregson – Thinks there need to be more negotiating. Is this something that can be tabled. Or do we vote on it.
- Brian Coats – It has come this far in the process and they have not thought to sit and work it out. They can still negotiate, even if we vote.

Motion by Brian Coats, second Russell Gregson to deny the Area/Bulk Variance by Caley and John Homrighausen to reduce the setback from 20 feet to 16 feet on the property located at 6467 H Road, Waterloo, IL. Parcel #08-33-400-006. Yes – 5, No – 0. Motion passed.

Motion by Vicki Taake, second Brian Coats to approved the minutes of June 5, 2024. All aye by voice vote.

Motion by Brian Coats , second Russell Gregson to adjourn. All aye by voice vote.

Next meeting – August 12, 2024 – 7:30 pm