

Monroe County Board of Appeals February 10, 2025

The Monroe County Zoning Board of Appeals met February 10, 2025, in the Monroe County Court House, Waterloo, Illinois, with the following members present: George Obernagel, Vicki Taake, Mike Kovarik, Brian Coats, and Russell Gregson. Also, present: Eric Sutton, and Dawn Mavericks.

George Obernagel opened the Public Hearing concerning Jill Zanders-Henslee and Adam Henslee who are requesting a Special Use Exception to operate a home occupation providing part-time hobby automotive and tire services. §40-2-14(Q). The property is located at 4804 State Route 159, Red Bud, IL 62278, Township 3 South, Range 8 West, Monroe County, Illinois, Parcel #12-21-300-011 and is zoned A-1 (Agricultural).

Denise Marshall read the letter of intent.

Documents reviewed:

1. Letter of intent:

Per Monroe County Zoning Code 40-4-7 (Home occupations in an accessory building), we, Jill Zanders-Henslee & Adam Henslee, partners of Custom Truck & Jeep, LLC, are applying for a Special Use Permit to operate a home occupation providing part-time hobby automotive and tire services. These services along with a small office space will be conducted within our Pole Barn, located on our property at 4804 State Route 159, Red Bud, IL 62278. This property is owned by Jill E. Zanders Trust and is considered an A-1 Zone.

Custom Truck and Jeep, LLC. was established to document the income and expenses of Adam Henslee working on vehicles and equipment of friends and family. Adam Henslee is the sole employee of Custom Truck and Jeep, LLC. Insurance for the business is provided by Farmers Insurance Company.

We would like to continue operating Custom Truck and Jeep, LLC, out of our Pole Barn located on 4.34 acres next to a 115.60-acre parcel that is also owned by us. We have a small desk located inside the Pole Barn to accommodate business documentation. All business operations are conducted within the confines of the Pole Barn, in a small area not exceeding 300 square feet. The remaining area of the Pole Barn serves as storage for our motor home, personal vehicles and equipment. The parcel for this property is 12-21-300-011 and is currently zoned as A-1. Please see attached photos.

Custom Truck and Jeep LLC is a part-time hobby business that does not advertise but rather is sought out by friends, family and neighbors. The business will not be housing inventory, storing parts, tires or other in-stock items for fixing or repairing vehicles. All parts will be purchased per job and all tools and equipment are kept inside and not viewable from the street. The Pole Barn has not been altered cosmetically from a

business perspective and the exterior appearance gives no indication that it is anything but part of the residence.

There is no equipment or materials stored outside unenclosed. Any refuse is disposed of through proper channels (i.e. Tires B Gone Hauling and friends with oil burners). There are no offensive noises, smoke, odors or other nuisances associated with the business and off-street parking is adequate and ample. All deliveries of merchandise, goods or equipment and business traffic will be conducted between the hours of 8:00am and 5:00pm Monday through Saturday, usually by drop-off or appointment only.

2. Health Department: Department has no issues with the request.
3. Soil and Water Conservation Report: No comment
4. Effect on Comprehensive Plan: Nominal
5. Effect proposal would have on health, welfare, safety, morals, & comfort of surrounding area: Nominal
6. Effects on schools, traffic, streets, shopping, public utilities & adjacent properties: Nominal
7. Present Use of Property: Agricultural

Dan Davis - Motion to recommend approving the special use for a home occupation in an accessory building (§40-4-8) with a time limit of two years that can be extended, and approval to have a non-illuminated sign not to exceed four (4) square feet. Second, Tim Berg. Roll call vote. 6-aye, 3-nay. Motion passed.

George Obernagel sworn in those wishing to speak.

- Jill Zanders-Henslee was in attendance via FaceTime.
- Stephanie Zanders (sister) was in attendance on her behalf.
- Jill Zanders-Henslee – No further comment
- Mike Kovarik – Picture looks like there are tires on a rack for sale. And what about the deer stands. Are they being sold?
- Jill Zanders-Henslee – The tires are waiting to be picked up. And the deer stands are for personal use.
- George Obernagel – If is for friends and family why do you need a sign?
- Jill Zanders-Henslee – The sign has been removed.
- Eric Sutton – Under this code they can have a sign up to 4 square feet.
- George Obernagel – How often are the tires picked up?
- Jill Zanders-Henslee – It just depends on when he is in town. Probably once a month.
- Brian Coats – Have to be mindful that if we allow this with friends and family they could grow and get has big as they want.
- Russell Gregson – The motion from the Planning Commission was two years.
- Vicki Taake – We would be approving a home occupation.

- Mike Kovarik – Can we add that it is expected quarterly to make sure there is not things being stored outside.
- Eric Sutton – Yes.
- Brian Coats – Were there any neighbors?
- Dawn Mavericks – There were only two.
- Mike Kovarik – What about handicap accessibility and restrooms?
- Eric Sutton – There don't really have people there.
- George Obernagel – How many hours a week?
- Jill Zanders-Henslee – When we are home, 40 hours.
- Vicki Taake – In the letter of intent it says Monday – Saturday 8:00-5:00.
- Jill Zanders-Henslee – It is supposed to be Monday – Friday. When we are in town. It is mostly by appointment only. There will not be any employees.

Motion by Mike Kovarik, second Brian Coats to approve the Special Use Exception by Jill Zanders-Henslee and Adam Henslee for a home occupation in an accessory building (§40-4-8) where there is no equipment or materials stored outside or enclosed subject to quarterly inspection, with a time limit of two years that can be extended, and approval to have a non-illuminated sign not to exceed four (4) square feet The property is located at 4804 State Route 159, Red Bud, IL 62278, Township 3 South, Range 8 West, Monroe County, Illinois, Parcel #12-21-300-011. Yes – 5, No – 0. Motion passed.

George Obernagel opened the Public Hearing concerning James P. Fitzgibbons who is requesting an Area/Bulk 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 Route 3 and Kaskaskia Road, Waterloo, IL, Township 3 South, Range 9 West, Monroe County, Illinois, Parcel #11-07-400-019 and is zoned B-2 (Highway Business).

Denise Marshall read the letter of intent.

Documents reviewed:

1. Letter of intent: The intent of this petition is a variance for rock drive and parking areas in lieu of paved drive and parking areas. Other similar businesses in the vicinity have similar rock drives and parking areas. The financial impact of paving these areas would make the project cost prohibitive.
2. Health Department: N/A
3. Soil and Water Conservation Report: No comment
4. Effect on Comprehensive Plan: Nominal
5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: Nominal

6. Effect on schools, traffic, streets shopping, public utilities & adjacent properties: Nominal
7. Present Use of Property: Vacant land

Motion by Dan Davis to recommend a variance from the code to reduce the hard-surfacing requirement of concrete, asphalt or oil & chip from everywhere down to a 12 feet area around the building's perimeter. This only applies to the 4 buildings on the southwest of the site plan submitted. Second, Tim Berg.

After the motion was made there was discussion about access doors and which sides should be required to be hard surfaced. Also discussed was the difference between A-3 oil and chip surface and A-6 rock surface. The petitioner could maintain the A-6 surface. The committee felt having some areas A-3 oil & chip surface would be better for the public. The motion made by Dan Davis was only for the 4 buildings on the southwest side of the site plan submitted. The petitioner disagreed because the variance request was for the site plan he submitted. Another amendment could not be discussed until the motion was dealt with.

Motion, Dan Davis to withdraw earlier amendment, second, Tim Berg. Amendment withdrawn.

The committee proceeded to act upon the main motion.

Motion, Dan Davis to recommend a variance that allows only the road surface to be oil & chip, concrete or asphalt for 12 feet out from the perimeters of the buildings that have an entrance door on the site plan that was submitted to the Planning Commission which shows a total of four buildings on the west and 2 buildings on the southeast corner. Second, Tim Berg.

After motion, the committee discussed the location of doors on the two other buildings and the road leading to them and what the surface requirement should be. The portion of the code that pertains to this was read. Carlyle stated that the amendment being voted on was if the petition needs to have asphalt, concrete or A3 coming back on the access road.

Carlyle Mueller called for a vote on the amendment discussed. By roll call vote. 7-ayes, 2-nay. Amendment to main motion passed.

Main motion was then restated by Carlyle Mueller:

Motion to require 12 foot around the buildings in the area of where there are storage doors and that includes all six buildings where there are storage doors and on the 24-foot roadway going back. By roll call vote, 8-ayes, 1-nay. Motion passed.

George Obernagel sworn in those wishing to speak.

- George Obernagel – Will abstain from this petition.
- James Fitzgibbons – Any place there is a door, there would be one of the three type surfaces.

- Eric Sutton – Showed on the map while James Fitzgibbons was explaining what was ultimately decided on at the Planning Commission.
- James Fitzgibbons – There would be 12 feet of concrete out where there are doors.
- Brian Coats – What are the buildings on the Southeast.
- James Fitzgibbons – Those are for future business storage, office, etc.
- Brian Coats – Believes that some of the parking spaces or at least some of them should be concrete.
- Eric Sutton – Would have to have some for handicap.
- Brian Coats – Discuss where the access would be.
- Mike Kovarik – This is not for one particular building. Wouldn't some of it be addressed when he applies for building permits, depending on what the buildings will be used for.
- Brian Coats – Thinks it makes sense to have a 12 foot skirt where there are doors.
- James Fitzgibbons – Read 40-5-3, under parking lot standards (E). It doesn't talk about roads or lanes. It just talks about parking and loading areas and it should be surfaced.
- Brian Coats – The parking and loading areas will be within the 12 feet. It doesn't specify what surface.
- Eric Sutton – It is under parking lot design. It is up for interpretation.
- Mike Kovarik – Planning Commission said access road oil and chip.
- James Fitzgibbons – Would like to leave it rock. It is expense to oil and chip it. Can maintain the rock easier.
- Russell Gregson – If it is just his personal use, doesn't see a problem with the rock. Really depends on what the other buildings are going to be.
- Brian Coats – Would preferred it to be paved, but by reading the code, doesn't see how we can do that.
- Mike Kovarik – What about working with Aaron Metzger about what he would want to see off of G Road.
- James Fitzgibbons – Has been in contact with Aaron Metzger and working with him.
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Motion by Vicki Taake, second Mike Kovarik to approve the Area/Bulk Variance by James P. Fitzgibbons to require 12 feet asphalt, concrete, or A3 surface around the entrances to all buildings and 20-foot-deep by 24-foot-wide asphalt, concrete, or A3 surface entrance from G Road. The property is located at Route 3 and Kaskaskia Road, Waterloo, IL, Township 3 South, Range 9 West, Monroe County, Illinois, Parcel #11-07-400-019. Yes - 4, No - 0, Abstain – 1. Motion passed.

George Obernagel opened the Public Hearing concerning Daniel Rahe who is requesting a Floodproofing Variance to build a grain bin. The property is located at 9013 Bluff Road, Waterloo, Illinois. Parcel #06-23-100-002-000.

Motion by Vicki Taake, second Brian Coats to approve the Floodproofing Variance by Daniel Rake to build a grain bin. The property is located at 9013 Bluff Road, Waterloo, Illinois. Parcel #06-23-100-002-000. Yes – 5, No – 0. Motion passed.

Motion by Russell Gregson, second Vicki Taake to approved the minutes of January 9, 2025. All aye by voice vote.

Motion by Russell Gregson, second Mike Kovarik to adjourn. All aye by voice vote.

No Meeting in March