

Letter of Intent

PARCEL: 08-33-400-006-000
6467 H ROAD
WATERLOO, IL 62298

March 10 , 2024

Dear Monroe County Zoning Office and Members,

We are requesting a variance for the above address to permit us to allow our home to remain constructed 16 feet from the property line, rather than the required 20 feet.

As you may be aware, this is our second variance request. Our first request was met with disagreement from our neighbor. It was suggested from the Board of Appeals that we attempt to work things out with our neighbor, Joshua Biffar.

After paying the retainer fee for our neighbor's lawyer of choice and much back and forth, we are unable to come to an agreement with our neighbor. We have attempted many avenues to try and satisfy their request which were as follows:

1. **Purchase 4'**
 - a. We did an even 10' depth as Mr. Biffar requested, we figured 10 feet x 1319 ft (length of property) which is exactly 0.3 acres. We took the neighboring property that sold at \$17,500/acre and offered \$5,250 and any survey fees and additional fees, in addition to liability paperwork. He countered at \$300,000.
2. **Buy from others to the south and shift lines.**
 - a. Unable to purchase land from other land owners
3. **County Approval:**
 - a. We were already denied variance due to his pushback.
4. **Give him 4 acres of the back of our property, and the entire front of the property, 25 feet past front of house. This equals about 7-8 acres. Plus an additional \$25,000 cash.**
 - a. We are unable to divide smaller than 10 acres. This also seemed unreasonable for our 4 feet.

None of those options were reasonable or possible, so we proceeded with the liability paperwork.

5. **Liability paperwork**
 - a. We paid his lawyer fees and our lawyer to draft paperwork that we believed to be consistent with his desires, Mr. Biffar did not think the county would be able to record said paperwork and backed out.

He then said our only options are:

1-Purchase 4' for the 300,000.

2-Sell him our house and property

- b. We offered him our home and property for the cost of our loan that we have and price of the land, to which we received no response.

3-Settle with builder and Monroe County Board of Appeals

This is why we have come back to the Board requesting the variance be approved.

Our last offer was to purchase 10 feet in and 70 feet wide(700 sq ft), for \$10,001.00, with a 99 year lease for \$1 that Mr. Biffar could continue farming the land, along with the liability paperwork. Mr. Biffar's lawyer instructed us that his client declined the offer and did not wish to negotiate further.

Granting this variance will not have much effect, if any, on Mr. Biffar's property or any of the surrounding properties. As the liability paperwork that Mr. Biffar and his lawyer reviewed many times, much of the concern of our home being 4' too close was that Mr. Biffar would incur liability, and listed no concerns of us doing any damage to his property. We have also angled our downspouts in such a way that the majority of the water flows away from his property. We have looked into having the house lifted on stilts and moved, but the cost was close to a quarter of a million dollars. We have also attempted to purchase land from surrounding property in order to then be able to trade land with Mr. Biffar, however the neighboring property did not want to sell as they are building a home and do not want to decrease the value of their land.

Mistakes happen, we feel as though we are being punished at no fault of our own. We have incurred thousands of dollars in lawyer fees, rental fees, RV fees & maintenance, loan extension fees, and have been unable to convert our construction loan to a permanent loan. We have tried working with Mr. Biffar, but do not feel his proposed amounts of land or money are reasonable, or feasible for us to accommodate.

We ask that you kindly grant this variance.

Thank you,
Caley & John Homrighausen

2. Health Department: NA

3. Soil and Water Conservation Report: No Comment

4. Effect on Comprehensive Plan: Requires a setback variance
5. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: NA
6. Effect on schools, traffic, streets, shopping public utilities and adjacent properties: Minimal
7. Present use of Property: Residential

Dan Davis asked if there has been any resolution or agreement met on the 4 ft setback between the Homrighausen's and Mr. Biffar. Tony Gilbreth spoke on behalf of Caley Homrighausen, explaining that offers that were made, but could not reach an agreement. Dan asked how much it was to move the house, and Caley stated that it would be \$250,000.

Dan Davis asked if anyone on the board had any questions or if there were any neighbors present that would like to speak against the petition.

Josh Biffar explained he only wants to sell a straight line. He made points that they still have not fixed the down spouts, that they haven't paid their taxes and that they are living there without an occupancy permit.

Mary Biffar read a letter from JoAnn Biffar. The letter stated she was opposed to the Variance. Mary asked what the definition of hardship is. Dan read her the definition and explained that it can be many things including financial. Josh stated that it affects every person going forward and can build wherever they want. Dan stated that it is a case is treated separately.

Karin Callis asked if anything had changed from the last time they had filed. Discussion that offers had been made, but no resolution and a new petition was filed, which is why it's being brought back to the board.

Jane Kolmer asked if the variance is granted are the Biffar's or the County exposed to any liability. Dan stated that if the overspray does drift, it's going to drift across the whole property line and would impact more than just the house

Motion, Dan Davis, second Chuck Pittman to recommend approving the 4-foot variance across the South line of the subject property in regard to the house on the subject property. Parcel # 08-33-400-006,6467 H Road, Waterloo, IL.
Yes – 5, No – 7, Motion Denied by roll call vote.

LAND USE COMMITTEE:

Petition for: Special Use **Current Zoning: A-1**
Petition by: Jarett Roush
Located at: 5100 G Road, Waterloo, IL
PIN: 11-19-200-010
Fee: Paid

Documents Reviewed:

1. Letter of Intent:

To Whom It May Concern,
I, Jarett Roush, sole owner of Roushs Garage LLC. The property, which is owned by my parents, James & Gay Lea Roush, where I also reside, is located at 5100 G Road, Waterloo.

I am requesting a special use exception for an automotive repair shop. I am the sole owner and employee of Roushs Garage **LLC**, where I diagnose and repair vehicles by appointment only. I use 1540 square feet of shop which is a portion of our existing building.

1. Health Department: NA
2. Soil and Water Conservation Report: No comment
3. Effect on Comprehensive Plan: Minimal
4. Effect proposal would have on health, welfare, safety, morals & comfort of surrounding area: Minimal

5. Effect on schools, traffic, streets, shopping public utilities and adjacent properties:
I reviewed the existing entrance and feel it is of sufficient width for any additional traffic created by the proposed petition. Including deliveries. Nothing else required from Highway.

6. Present use of Property: Residential

Dan Davis asked Jarret Roush to come up and explain what he is requesting. He is requesting a special use permit to run an automotive repair shop out of an existing building. He said he has a two-bay shop that is 44 x 35 feet with a dividing wall between the shop and the rest of the building which is used for personal use. Dan asked how many cars he works on at one time. Jarret stated that he works on two usually, but that there are cars there pending parts pick up, and customer approval. Discussion about how many years he thought he would be running the shop out of the building and the longest the special use could be issued for is 5 years and then it would need to be approved again. Further discussion of the type of repair work was discussed. They reviewed Aaron Metzger's note which said:

I reviewed the existing entrance and feel it is of sufficient width for any additional traffic created by the proposed petition. Including deliveries. Nothing else required from Highway.

Chris Voelker requested that a hard surface parking spot be put in to meet ADA requirements along with a lever action handle.

Discussion of whether he had a drain and the requirements for that. Jarret stated that there is no drain in the shop.

Dan asked if there were any further questions.

Motion, Dan Davis, Second, Jane Kolmer to recommend approving the special use for Home Occupation use for 5 years at which Jarret will have to come in front of the Board for renewal, shop size to not exceed 1,550 square feet on Parcel # 11-19-200-010 at 5100 G road, Waterloo, IL. Yes- 12, No- 0. Motion passed by roll call vote.

LAND USE COMMITTEE:

Petition for: Special Use **Current Zoning: A-1**

Petition by: Shane and Laura Sellers

Located at: 2928 Maus Rd, Fults, IL (OLD) 4631 Walnut Ridge Lane Fults, IL (NEW)

PIN: 15-12-300-002

Fee: Paid

Documents Reviewed:

1. Letter of Intent:

Shane and Laura Sellers are requesting a petition for special use exception at 4631 Walnut Ridge Lane Fults, IL 62244 to place a 2026 CHAMPION - Double Wide- Manufactured home. The previous petition for area/bulk variance to keep exposed fasteners on the roof and reside in existing building at 4631 Walnut Ridge Lane Fults, IL 62244 was denied.

2. Health Department: NA

3. Soil and Water Conservation Report: No Comment

4 .Effect on Comprehensive Plan: NA

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

6. Effect on schools, traffic, streets, shopping public utilities and adjacent properties: NA

7. Present use of Property: Do Not Occupy

Dan Davis asked Shane to explain what he is requesting. Shane states that he is requesting to place a manufactured home on his property. Discussion about the size of the home and whether it meets definition. The home meets the definition and requirements. Septic meets requirement from the Health Department for a 3-bedroom home. Carlyle verified that it meets the Karst requirements. No further questions from anyone.

Motion, Dan Davis, Second Chuck Pittman to recommend approving the request to place a Manufactured Home on Parcel #15-12-300-002 at 4631 Walnut Ridge Lane, Fults, Il. Yes-12, No -0. Motion passed by roll call.

Discussion about Shane's previous Petition took place.

LAND USE COMMITTEE:

PIN: 04-17-200-001

Current Zoning: B-2

JJDR Subdivision Plat/ Joe Menner

Fee: Paid

Review of Preliminary and Final Plat for JJDR Subdivision, being part of Tax Lot 9 of U.S. Survey 555, Township 1 South, Range 10 west of the Third Principal Meridia.

Documents reviewed: Preliminary Plat, Final Plat, Concept Plan

Joe Menner and Jim Vogt came up to speak about what the plans are. Chris Voelker read comments/requirements from Aaron Metzger. Health Department requires a soil sample. Approved for residential use.

Motion by Dan Davis, Second Tim Berg to approve the Preliminary and Final Plat for JJDR Subdivision being part of Tax Lot 9 of U.S. Survey 555, Township 1 South, Range 10 west of the Third Principal Meridia. Yes-12, No-0

OLD BUSINESS: None

TREASURERS REPORT: None

ZONING OFFICER'S REPORT: Chris Voelker disturbed the last 3 months of the Zoning Report to the members of the Planning Commission

ROAD REPORT:

Road Report. Southwest Connector – The highway improvements from South Waterloo to Murphysboro, known as the Southwest Connector, is in the early stages of planning. IDOT has \$6 million to perform a Planning and Environmental Linkages (PEL) study. This is pre-Environmental and preliminary design. The PEL is expected to be completed in fall/winter 2027. There is a public comment period and virtual meeting available until August 18th. This and details about the PEL and project in general can be found at www.southwestconnector.com. Or, a link has been provided on the County Website. Also, the 2019 report of the Southwest Illinois Connector Task Force can be found at www.swiconnector.com.

COMMISSIONERS REPORT: None

COMPREHENSIVE PLAN: Meeting on August 20, 2025

POLICY REVIEW: None

ECONOMIC DEVELOPMENT : None

Motion to adjourn, Jim Agne, Second Tim Berg All aye by voice. Meeting adjourned

Next meeting- September 4,2025