

## Monroe County Zoning Board of Appeals May 14, 2020

The Monroe County Zoning Board of Appeals met May 14, 2020, in the Monroe County Court House, Waterloo, Illinois, with the following members present: Mike Conrad, Russell Gregson, George Obernagel, Dennis Rodenberg, and Vicki Taake. Also, present: Chris Voelker.

Dennis Rodenberg opened the Public Hearing concerning Thomas Dillard, 1660 Centerville Road, Columbia, Illinois, who is requesting an Area/Bulk Variance to install a carport building adjacent to the back of his house on the property located at 1660 Centerville Road, Columbia, Illinois, located in Parcel #04-23-400-009.

Denise Buettner read Letter of Intent.

Dennis Rodenberg gave the oath to those wishing to speak.

Thomas Dillard sworn in to speak.

Thomas Dillard was available to answer questions.

- Vicki Taake asked the about the 10-foot setback being between the house and building.
- Chris Voelker answered that yes that is what it is.
- Vicki Taake asked if it was temporary.
- Thomas Dillard yes, it is temporary. Plans to move it behind the house at least 10 feet from the house.
- Vicki Taake asked if he just don't want to do it right away.
- Thomas Dillard – wants to use the concrete pad.
- Russell Gregson asked if when it is moved going to pour a pad
- Thomas Dillard- probably not just gravel

Hearing closed.

Motion George Obernagel, second Russell Gregson to grant Thomas Dillard an Area/Bulk Variance to install a carport building adjacent to the back of his house on the property located at 1660 Centerville Road, Columbia, Illinois, located in Parcel 304-23-400-009.

Roll call vote, Yes – 5, No - 0

Dennis Rodenberg opened the Public Hearing concerning Michael Killy, 7689 Tranquil Lane, Waterloo, Illinois, who is appealing decision made by the Monroe County Zoning Administrator regarding not permitting a business at location 7689 Tranquil Lane, Waterloo, Illinois.

Chris Voelker explained that a complaint was filed, and it was researched. Business is being operated in an A-1 zone. Mike Killy is appealing because he said the trucks are parked there, but it is not the business.

Dennis Rodenberg gave the oath to those wishing to speak.

Michael Killy and Don File sworn in.

- Michael Killy provided letters from all of the neighbors that they don't have a problem with it. And showed where the business is licensed.
- Michael Killy explained that trucks have parked with other farming equipment for 4 years. When he got the building permit Chris and Mike knew his trucks would be parked there. The trucks are used agriculture.
- Dennis Rodenburg asked if he hauls grain for himself or others.
- Michael Killy said he hauls for himself and others
- Dennis Rodenburg said that is not how all farmers operate. Only when they are a business.
- Dennis Rodenburg asked how many acres he farms.
- Michael Killy responded about 42.
- George Obernagel asked if his trucks are used for other things than farming.
- Michael Killy responded yes. But how do you come to the conclusion that the business is conducted there. The trucks are parked there, they go to sleep. No different than other people who drive company vehicles home. The trucks have been parked there for 4 years. They brought in an excavator to start a new home and that is when the problem happened.

- George Obernagel said Dennis Rodenburg and himself went out to the property. Asked about the houses around the property.
- Michael Killy redid the road that is when the neighbor came up and complained that he couldn't do that without talking to her husband. He owns the easement and maintains it and they use it.
- Dennis Rodenburg asked where the couple with the problem live in comparison to him.
- Michael Killy said there are down when you pass his buildings (showed on the map).
- Dennis Rodenburg said what it boils down to is to uphold Chris's decision
- Vicki Taake said that the building is advertised for things behinds grain and 5 trucks for 42 acres.
- Vicki Taake asked whether he provides bids and works on various road projects
- Michael Killy responded no
- George Obernagel asked how much of the income from the trucks is from farming and not.
- Michael Killy said he never had to separate it and doesn't know the answer off the top of his head.
- Michael Killy said business doesn't happen there. No loading is done there. He asked why Chris and Mike would give the permit and waste that money to now not let me park my trucks there.
- Chris Voelker responded it was Mike and he didn't say could have a trucking company there.
- Michael Killy said the business is not conducting there, no work is being done there.
- Russell Gregson asked if the entire fleet is brought home, not just the employee. He asked if the employees come to his house to pick up the trucks.
- Michael Killy responded yes; they do. He said business is at 320 Nellios Ridge.
- Chris Voelker said the village of Valmeyer does not have a business license for that address.
- Vicki Taake mentioned this operation seems similar to Baxmeyer. Trucks parked at one place and the business elsewhere, they got a special use. She doesn't see why we can't do that.

- Dennis Rodenburg asked if he had a problem with the special use.
- Michael Killy went through a list of other people asking how you separate whether it is business or not.
- George Obernagel gave examples of other farms.
- Michael Killy said he doesn't have a problem getting a special use permit.
- Mike Conrad asked how many employees
- Michael Killy responded 2 and sometimes 1 that fills in
- Mike Conrad asked about payroll.
- Michael Killy said the payroll comes from 320 Nellios Ridge.
- Dennis Rodenburg said when they show up for work, they show up at the shed.

Dennis Rodenburg opened it up to Don File to speak.

- Don File said it wasn't recently, that it started 4 years ago when the first complaint happened. There are 3 employees that go there every morning. He knows the trucks go to the quarry and hauls dirt, rock or sand for other people. If the business location is in Valmeyer. The fuel doesn't get delivered to Valmeyer it comes to the shop. And the trucks get maintain at the shop as well. The trucks go out every day after 6:00 am.
- George Obernagel wants to ask Chris Voelker if someone else would put a business down where he is (example a cabinet shop), wouldn't you have to get a business license.
- Chris Voelker believes if you have employees going to a place then that is where the business is.
- Dennis Rodenburg asked if there's a problem to apply for a special use.
- Michael Killy asked what the special use entails.
- Chris Voelker explained what the Special use could be.
- George Obernagel doesn't have a problem with him getting a variance, but he doesn't want to see other businesses pop up around the county.
- Dennis Rodenburg said he can conduct business as is while applying for the Special use.
- Chris Hitzemann confirmed that he can keep conducting business due to the courts being shut down.
- George Obernagel would like to give him 90 days.

Hearing closed.

Motion Vicki Taake, second Mike Conrad to support Chris Voelker's decision that the trucking business is violation and to give him 90 days to apply for a Special Use Exception on the property located at 7689 Tranquil Lane, Waterloo, Illinois.

Roll call vote – yes – 5, No - 0

Dennis Rodenberg opened the Public Hearing concerning Gary and Leona Stumpf, 10702 Levee Road, Columbia, Illinois, who are requesting a Wet Floodproofing Variance to build a grain bin on the property located at 10702 Levee Road, Columbia, Illinois, Parcel #06-03-100-004-000.

Dennis Rodenberg gave the oath to those wishing to speak.

- Chris they already have 6 and they want to tie it all together

Hearing closed

Motion Mike Conrad, second Vicki Taake to grant Gary and Leona Stumpf a Wet Floodproofing Variance to build a grain bin on the property located at 10702 Levee Road, Columbia, Illinois, Parcel #06-03-100-004-000.

Roll call vote, Yes – 5, No – 0

Motion George Obernagel, second Russell Gregson to approve the minutes of the January 8, 2020. All aye by voice vote.

Motion Mike Conrad, Second Russell Gregson to adjourn. All aye by voice vote.

Next Meeting June 10, 2020