

Zoning Board of Appeals Minutes

August 23, 2023

The meeting was called to order at 5:34 p.m. by Chairman Dave VanDeVelde with members Dennis Sullivan, Russell Olson, and Neal Nelson present. Zoning and Building Manager Kyle Stromquist was present. Applicant representative Roger Yarger was present for 23-12 VA. Applicant representatives Brad Adams and Curt Seei were present for 23-13 VA. Applicants were sworn in. Meeting notices were published, posted and mailed.

Russell Olson made a motion to approve the meeting agenda. Neal Nelson seconded. All were in favor and motion carried. Roll call was taken with quorum made.

Russell Olson made a motion to approve the July 26, 2023 minutes as printed. Neal Nelson seconded. All were in favor. Motion carried.

Committee reviewed the following zoning application:

- A. 23-12 VA--Roger & Theresa Yarger, 12126 E. 1700 St., Cambridge, IL 61238 requesting a variance to Article 7 Section 7.6 Bulk Requirements which will enable applicant to construct a pole building less than the minimum required 40 ft. setback from property line/ 73 ft. from centerline of township road.

Chairman Dave VanDeVelde introduced variance and then gave applicant representative Roger Yarger the opportunity to speak.

Roger Yarger started by saying he started the building project not knowing he was in any violation of a setback. He said it was an honest mistake and has been cooperating with Kyle since he received the stop working letter. Roger went on to say that the road the building is on has no houses and virtually no traffic on it. During the winter months the road does not get plowed and in the spring after rain, it turns to mud. Roger stated he has farmed the ground for over 40 years there. Roger stated that he has had several neighbors offer their support. Roger stated he contacted the Cornwall Township officials including the supervisor, clerk, road commissioner and several board members. The officials and board members signed a letter written up by Roger saying that the road the building is on is a rarely traveled road with limited improvements and they were in favor of the variance.

Dave VanDeVelde asked if there were any questions from committee members.

Neal Nelson asked how many feet were being requested for this variance.

Both Roger and Department stated it is an 18 ft. variance being requested.

Dave VanDeVelde asked if there were any other questions.

With no other questions, Neal Nelson made a motion to approve 23-12 VA. Russell Olson seconded. Roll call vote was taken with 4 “yes” votes by Dave VanDeVelde, Dennis Sullivan, Russell Olson and Neal Nelson.

B. 23-13 VA—Brad Adams & Curt Seei requesting a variance of Section 7 F.8 Henry County Flood Damage Prevention Ordinance for a 1984 sq. ft. variance limiting the total sq. ft. of accessory buildings in floodplain to 576 sq. ft. as allowed in Section 7 F.

Chairman Dave VanDeVelde introduced variance and then gave applicant representatives Brad Adams & Curt Seei the opportunity to speak.

Brad Adams stated they built a building larger than what the floodplain ordinance allows. The reason for the building is to put equipment and personal property in an enclosed area to keep animals out of the equipment. Brad went on to say that the property is located along the Green River on Grange Road and Route 82. The levy is 6 ft higher than what the flood plain says it needs to be. Brad stated the levy is not recognized by FEMA because the levy is maintained by the water district and not by Army Corps of Engineers. Brad stated there is a lake on the property with a drain in it and stated the property has never flooded since they have owned it or what is known for the history of the property. The building is built on the highest point of the property and water would flow away from the building in all directions off the property and into thousands of acres of drainage area.

Dave VanDeVelde asked how many acres the property was.

Curt Seei stated they have 40 acres and there is property around them that they do not own.

Neal Nelson asked about the existing buildings on the property.

Department stated the existing buildings are non-conforming and have elevation certificates to show the existing height. Department explained the drainage area and topography of the property.

Curt Seei stated that the lumber is all treated and has flood vents. All electrical is one foot above base flood elevation.

Neal Nelson asked if the building was for storage only.

Brad Adams stated the building is for storage only.

Dave VanDeVelde asked if there any more questions.

With no other questions, Neal Nelson made a motion to approve 23-13 VA. Russell Olson seconded. Roll call vote was taken with 4 “yes” votes by Dave VanDeVelde, Dennis Sullivan, Russell Olson and Neal Nelson.

The next tentative meeting is scheduled for Wednesday, September 27, 2023 at 5:30 p.m. in Room 102J of the Henry County Courthouse.

With no further business, Russell Olson made the motion to adjourn. Neal Nelson seconded. The meeting adjourned at 5:50 p.m.

Respectfully,

Kyle Stromquist
Zoning/Building Manager