



WINFIELD BOARD OF ZONING APPEALS
MEETING MINUTES
NOVEMBER 12, 2020 @ 5:30PM

The Winfield Board of Zoning Appeals held their regularly scheduled meeting on Thursday, November 12, 2020 at the Winfield Town Hall at approximately 5:30 p.m. Those present: Jim Hajek, Mark Nelson, Austin Holtz, and Phil Metzger. Sash Becvarovski was absent. Also present was Nick Bellar, Zoning and Planning Administrator; and Attorney Ryan Deutmeyer.

MINUTES: September 10, 2020 and October 8, 2020 meeting memo – Attorney Deutmeyer explained since there was no quorum at the last meeting it was noted for the record that the Public Hearings had to be reschedule to November 12th. Jim Hajek made a motion to accept the September 10th Minutes and October 8th memo as written, seconded by Austin Holtz. The motion carried with all in favor 4-0.

OLD BUSINESS

1. Docket BZA 2020-02 – Findings of Fact

Nick Bellar explained this is the official record documenting the actions of the BZA for the Docket on the couple putting a pool in their back yard. Austin Holtz made the motion to approve the Findings of Fact for Docket BZA 2020-02. Phil Metzger seconded the motion, the motion carried with all in favor 4-0.

NEW BUSINESS

1. Public Hearing: Docket BZA 2020-03 – Variance from Development Standards

Owner: Brittany Wickizer
Petitioner: Power Home Solar, LLC
Vicinity: 10226 Arizona St.
Request: Variance from §156.047(C)(3) to install a solar panel system in excess of 80 square feet.

The Petitioner was not present for the hearing. Nick Bellar noted the Public Hearing was properly published and advertised.

Mark Nelson opened the Public Hearing at 5:34p.m. after asking three times, no comments were made and the Public Hearing was closed.

Nick Bellar provided some background on the project. The homeowner wants to put solar panels on the roof of their house. The maximum standard in town that is allowed is 80 square feet, they want to do 274.5 square feet on their home. Nick stated he does not have any objection to this and he has discussed with Mark Nelson on reviewing the solar panel standard to see if they are being too restrictive. It might be necessary to also have different standards for panels mounted on the roof and panels mounted in the yard. Jim Hajek stated it should also depend on the size of the building and power needed to run the building. Nick stated in most cases the homeowner is looking more into supplemental power, but they will look into revising this the next time they review the Town Code. Austin Holtz made the motion to approve Docket BZA 2020-03, Variance from Development Standards for solar panel system installation in excess of 80 square feet. Jim Hajek seconded the motion, the motion carried with all in favor 4-0.

2. Public Hearing and Recommendation to the Town Council: Docket BZA 2020-04 – Variance from Use

Owner: John and Gretchen Dawson
Petitioner: John and Gretchen Dawson
Vicinity: 6884 E. 117th Ave.
Request: Variance from use to permit horse boarding use on AG zoned parcels per Chapter 156 Zoning, Appendix A §156.131 PERMITTED USES, APPENDIX A: DISTRICT USE TABLE.

John Dawson and his attorney were present and provided background on the Use Variance plan of boarding horses on the property for use of income. The property is currently zoned AG and already has a very nice stable on the property that has 7 existing stables with room for expansion. The property owner would like to allow the lease of space to a professional horse trainer and caretaker. This use would be similar to AG Business zoning. The adjacent properties should not be affected by this. John owns 25 acres and the neighbors on either side own over 10 and 50 acres. The horses will also be kept inside the barn. Jim Hajek asked about waste removal. Mr. Dawson stated it would be removed frequently every several days and there is also a storage room inside the facility for the winter months. Mark Nelson asked how many horses they planned to have. Mr. Dawson said to begin with it would be 8-10 horses, there is room inside the barn to add several more. Mark asked what the use of the horses would be. Mr. Dawson explained it will just be for the training and boarding of horses. Only the trainer will be present with the horses; the owners would not be there frequently so there would be little to no traffic coming and going from the facility. The horses are show horses and would never leave the barn. Austin Holtz asked if it would have a sign since it's a business. Mr. Dawson stated there would be no sign. This is just for the indoor use of top tiered show horses, they will not be in the fields around the barn.

Mark Nelson opened the Public Hearing at 5:45p.m. This Public Hearing was properly published and advertised.

Judith Chandler, 7012 E. 117th Ave., is the neighbor to the east. She is worried about this possibly opening a can of worms to always being a business. She is concerned that in the future if the business were to change hands, this could open it up for more uses. Jim Hajek stated they are not changing the zoning just the use. Nick Bellar stated this is a use variance that can have conditions attached to the approval for it to revert back to its original use if it were to change hands. They have done that in the past. Mrs. Chandler was also concerned about the amount of traffic it could bring to the area and the horses being outside the barn.

After no further comments, the Public Hearing was closed at 5:49p.m.

John Dawson and his attorney addressed the comments made. They explained there is already room inside the barn to make new stables, they will not be adding an expansion to the existing facility. The trainer will be limiting the amount and type of horses in the barn. The use of boarding is also already allowed by the property owner if they were his own horses. What John is doing is hiring a professional to provide quality training and care to the horses. Mr. Dawson stated he does not want traffic either coming and going from his property, he has three young children. He was approached by many people shortly after he purchased the property about wanting to board the horses there and this provided the opportunity to do that with one individual to limit the amount of people coming onto his property. He also agreed to the condition that this property can revert back to its original use if he were to ever sell. Austin Holtz asked if he has a contract with the trainer. Mr. Dawson said not at this time. Mark Nelson asked about the type of horses. Mr. Dawson's attorney stated he works with all different types, mostly show breeds currently in Illinois, he is looking to pare down the amount of horses he looks after at this location. There will be no draft horses. Attorney Deutmeyer asked any motion made to reflect the conditions they discussed imposing on change of ownership. Jim Hajek made the motion for a favorable recommendation to the Town Council for Docket BZA 2020-04, Variance of Use with the condition of the property reverting back to its original use if the property were ever to change ownership, any new owner would have to come before the BZA for a Use Variance to continue the horse boarding use. Austin Holtz seconded the motion, the motion carried with all in favor 4-0.

STAFF/ATTORNEY REPORT:

No report.

With no further business before the Board, Jim Hajek made a motion, seconded by Austin Holtz to adjourn. The motion carried with all in favor 4-0.

ADJOURNMENT: 5:54 pm

Attest:

Board of Zoning Appeals Secretary

Board of Zoning Appeals Chairman

Transcriber: Kim Wachowski
Administrative Assistant