

MINUTES OF MEETING HELD BY  
ZONING BOARD OF FAIRBURY  
IN FAIRBURY, ILLINOIS

A public meeting of the Fairbury Zoning Board of Appeals was held at the City Hall in Fairbury, Illinois at 6 PM on Monday, August 15, 2022, pursuant to a notice published in the Daily Leader.

Present: Zoning Board Chairman Gerry Vance, Zoning Board members John Gavin, Seth Welch, Tom Bull, Eric Ray, Sam Pica and Matt Davis. Also present were the applicants, Brian and Rebecca Miller, Mayor David Slagel, Alderman Gerald Hoffman and Zoning Administrator Nancy Widlacki.

Chairman Vance called the meeting to order at 6 PM and briefly outlined the application request. He then directed Zoning Administrator Widlacki to read aloud the reason for the hearing.

Application of Brian and Becky Miller, requesting a variance from said Zoning Ordinance to permit an accessory structure to be built that exceeds size limitations; said property being described, to-wit:

25-25-09-227-016

LOT 164.64 X 125 LOTS 20 & 21 METZ ESTATES

Chairman Vance opened the hearing by offering the floor to Brian Miller who stated some changes were made to the original plan noting specifically there is no living space nor a business being operated from this structure. The structure will be used strictly for personal use. He believes his lot is the only R1 lot that abuts a commercially zoned property and is of the opinion his request should be considered independently. He noted the garage is approximately 1,650 sq ft, covered patio is roughly about 525 sq ft. He explained ZA Widlacki called and asked him to consider removing the covered patio for the hearing. If the application was approved, Mr. Miller could apply for a building permit. He didn't think this was necessary but agreed to remove the covered patio if it would aide in getting his application approved.

Chairman Vance inquired as to how many sq ft his new plan exceeds the allowable size; Mr. Miller thought it was approximately 300 sq ft. He noted the reduction in size is a result of changing the 3-car garage to 2-car.

Member Welch quoted Zoning definition 4.22 "*FLOOR AREA. The sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the center line of walls separating buildings, but not including garages, unenclosed porches, and cellar or basement space, unless used for business or commerce.*" Member Welch finds this confusing in determining the square footage footprint of an accessory structure. ZA Widlacki noted an accessory structure's square footage footprint is figured on the entire portion of floor area affixed to the ground. Member Welch recommended clearer language in defining how accessory structure square footage footprint is to be calculated. ZA Widlacki noted this request to be discussed at the Annual Board of Review meeting.

Member Bull noted the difference of 300 square feet was minimal.

Mrs. Miller referenced another structure in comparison to what their application request entails and urged the Zoning Board of Appeals to approve their request. Mrs. Miller noted their fence installation is at a standstill pending the outcome of the hearing and that winter will soon be upon us.

Chairman Vance asked for additional questions and/or comments. Hearing none, he put the matter to a vote by polling each member individually.

Should the variance application from Mr. & Mrs. Brian Miller be approved as presented:

Pica-YES Gavin-YES Ray-YES Davis-YES Welch-YES Bull-YES Vance-YES

The variance request was approved unanimously.

No other matters were discussed and the meeting adjourned at 6:15 p.m.

---

Nancy L. Widlacki, Zoning Administrator and  
Secretary to the Zoning Board of Appeals