

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, April 24, 2023, pursuant to a notice published in the Daily Leader.

Present: Zoning Board Chairman Gerry Vance, Zoning Board members Cory Cottrell, Seth Welch and Tom Bull. Also present were applicant Dr. David Janecek and Zoning Board of Appeals Secretary Jessica Wenger.

Chairman Vance called the meeting to order at 6:02 PM. Before briefly outlining the application request, Chairman Vance called for a moment of silence honoring late Zoning Board member Eric Ray. He then directed Zoning Secretary Wenger to read aloud the reason for the hearing.

Application of Dr. David Janecek,  
requesting a variance in Use  
Regulations of said Zoning Ordinance  
to permit a part-time chiropractic  
practice in a residential district; said  
property being described, to-wit:

LOT 2 NORTH JACKSON SUBDIVISION FAIRBURY LIVINGSTON CO.  
25-25-03-176-036 LOT 91 X 213

Chairman Vance opened the hearing by offering Dr. Janecek the opportunity to elaborate on his request. Dr. Janecek started by explaining that he is trying to retire, but he has some clients requesting for him to semi-retire instead and still see them. He would like to run a part-time chiropractic practice at his home until he feels he can officially retire.

Member Bull asked how many patients he would be seeing in a week. Dr. Janecek said anywhere from 15-20 a week.

Member Bull asked if parking would be on or off-street. Dr. Janecek explained that he has the capability to have nine cars parked in his driveway at once, but would most likely only ever have one car there at a time.

Member Welch presented the idea that Dr. Janecek could stagger his patients as not to have any added congestion to the street. Dr. Janecek reiterated that he has plenty of off-street parking. He also said at max he may have 3 people an hour, and they would not all be there at the same time.

Chairman Vance explained that parking did not seem to be an issue. Dr. Janecek said that he will only have one room in his house dedicated to his practice and then his office will have a filing cabinet to keep all of his patient's documentation.

Chairman Vance informed Dr. Janecek about the policy of signage. Even if his variance is to be approved, he cannot have any signage for the business. Dr. Janecek said that he is not planning on having any signage or promoting his business in any way. He only plans on doing this to finish out his career, and has no plans of growing it at all.

Member Cotrell asked the board members how this would differ from other business variances that may have been denied in the past.

Member Welch explained that the board needs to view every variance hearing on a case-by-case basis because everyone is different. He explained that some requests would have caused more congestion on already busy streets and the potential for unregulated amounts of people in and out of the property. This request did not have those issues as they will be by appointment and have no on street parking.

Chairman Vance explained that this variance would be granted to him and not the property, so if he were to move from the property the variance would be void.

Member Welch asked if there is any state regulation on a business like this. Dr. Janecek explained that the only thing he needs to do for the state is to keep his license up to date, and change the address from his current practice to his home address if the variance is granted.

Chairman Vance made the motion to put the matter to a vote.

Chairman Vance put the matter to a vote by polling each member individually.

Should the variance application from Dr. David Janecek be approved as presented:

Bull-YES Welch-YES Cotrell-YES Vance-YES

The variance request was unanimously granted.

No other matters were discussed and the meeting adjourned at 6:11 p.m.

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Jessica L. Wenger,  
Secretary to the Zoning Board of Appeals