

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

APPROVED

A public meeting of the Fairbury Zoning Board of Appeals was held at the City Hall in Fairbury, Illinois at 6:30PM on Monday, June 24, 2024, pursuant to a notice published in the Daily Leader.

Present: Zoning Board Chairman Gerry Vance, Zoning Board members Tom Bull, Sam Pica, Matt Davis, Seth Welch, Leroy Rodriguez and Cory Cottrell. Also present was Mike White's business partner Eddie Ricketts, City Attorney Matt Schrock, Zoning Board of Appeals Secretary Jessica Wenger and member of the public Diane Pawlowski.

Chairman Vance called the meeting to order at 6:33 PM.

He then directed Zoning Secretary Wenger to read aloud the reason for the hearing.

Application of Mike White, requesting a variance in Area Regulations of said Zoning Ordinance to permit the building of dwellings on parcels less than the required six thousand square feet and average width of not less than fifty feet; said property being described, to-wit:

LOT 25-25-10-233-006 & LOT 25-25-10-233-004

Chairman Vance opened the hearing by offering Eddie Ricketts a chance to explain why he and Mike White are in need of the variance. Eddie started by introducing himself and explaining that he and Mike have always dreamt of developing this property. They are planning to build condos that will be marketed to retirement aged (55+) people.

Chairman Vance then opened the meeting for the board members to ask any questions.

Member Pica started by asking if the condos will be two stories. Eddie explained that depending on the buyer's preference, some will have basements and some will have crawl spaces. Eddie explained that from the garage into the residence there will not be any stairs. The only stairs will be in units that request a basement.

Member Davis wanted to clarify by asking if the units will in fact be 2-stories. Eddie explained that they will all be single level homes.

Chairman Vance asked how many of the units will be less than the 6,000 square foot that is required. Eddie answered that 19 of the 22 units will be less than 6,000 square feet. Four of the units are 5,684 square feet, and 15 are 4,995 square feet. He included that these numbers do not include the common area building. Chairman Vance asked how large the community building will be. Eddie explained that that is yet to be determined.

Member Pica asked if there is a reason why these 22 units couldn't become 18 units and make the requirement. Eddie answered that he and Mike would like to make them as affordable as possible, so sticking with 22 units would help with that.

Member Davis asked if these units are presold. Eddie explained that they do have multiple people interested in them. Member Davis expanded on his question making sure that they are not going to be sitting empty after construction. Eddie confirmed that he and Mike do not believe they will be sitting empty.

Member Cottrell asked if they are planning on building only what they have sold or if they plan to do the whole project as proposed. Eddie explained for cost effectiveness they plan to build the whole project. Eddie said that with the level of interest they have, he thinks building all at once is the best option.

City Attorney Schrock asked if the plan would be to subdivide and sell these condos as individual properties or to create a condo association. Eddie explained that they plan to subdivide and sell them as individual properties, but there will also be an association of sorts. City Attorney Schrock wanted to clarify this stating that on another map he had seen it looked as though the units were going to stay as one. Eddie explained that after speaking with the City, they thought everything would be in compliance; however, under closer examination the City found that if they were planning to sell the condos left to right it would not be in compliance to keep them on single lots.

Attorney Schrock asked if this variance needed to include a "no lot line" or a "zero setback" variance as well. Eddie explained that he was unsure of this.

Member Welch asked Zoning Secretary Wenger if our zoning book really has anything laid out for projects like this one. He expanded on this by saying that from what he has seen there really is not anything against it, and wondered how this compares to places like Fairview Haven. Secretary Wenger explained that there are other condos set up like this in town. They are built on one parcel, but purchased by two different buyers. Member Welch explained that he has been on the board for 6 years and no changes have been made to the Zoning Code book, and maybe the board needs to take a look at the book as a whole. Member Welch concluded by saying he is inclined to vote yes because he thinks it will be a good development for Fairbury and much better than an empty lot.

Member Davis asked if there is going to be a homeowner's association of sorts anyway, could the back easement be included into those end lots and make them so they could be in compliance with the 6,000 square foot rule. Eddie said he didn't really know.

City Attorney Schrock confirmed that these plans that the board was looking at have not yet been approved by the City Council. Secretary Wenger confirmed that the final building plans will be brought to council to be voted on after the outcome of the variance hearing is determined.

Chairman Vance confirmed that everything else was in compliance with the build. Secretary Wenger explained that that was correct.

Chairman Vance said that since the hospital had been there, sewer and water lines should be easily accessible for the build. Eddie explained that because of the age of the lines, they plan to add new lines into the main.

Member Pica asked if the "homeowner's association" would be able to have a say in new people moving into the condos. Eddie explained that they would not have a say in people wanting to purchase unpurchased lots.

Member Davis asked if the utilities will be in the back easements or in the front easements. Eddie explained that Farnsworth is mapping out where everything goes and where the utilities will be located.

Member Vance asked if there were any other questions or comments before the vote. Member of the public, Diane Pawlowski, asked whether this project will be taking up the whole block or if the buildings that are currently standing will remain. Member Davis said he believes there is only one building left on that block and it will be remaining.

Member Rodriguez asked when Eddie and Mike are planning to break ground on the project. Eddie replied they would like to begin work as soon as possible. He explained that they have everything ready to start building as soon as construction is approved.

No other members rose any concerns or had any comments.

Chairman Vance put the matter to a vote by asking for the members if they approved the construction of the accessory building to say "I". He then asked for all opposed to say "nay".

The variance request was unanimously granted.

Member Rodriguez made a motion to adjourn. Member Bull seconded the motion.

No other matters were discussed and the meeting adjourned at 6:49 p.m.

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