

MINUTES
Zoning Board of Appeals
Linda O'Brien, Chairperson
August 11, 2022

A meeting of the Peoria County Zoning Board of Appeals was held on Thursday, August 11, 2022, in Room 403 of the Peoria County Courthouse, 324 Main Street, Peoria, Illinois. The meeting was called to order by Vice Chairperson J. Greg Fletcher, at 9:00 a.m.

PRESENT: J. Greg Fletcher, Rob Asbell, Chris Duncan, Stephen Pollack, Randy Weber, LaVonne Sammis

ABSENT: Linda O'Brien – Chairperson, Greg Happ, Justin Brown

STAFF: Kathi Urban – Director
Andrew Braun – Assistant Director
Taylor Armbruster – Planner I
Jack Weindel – Planner I
Jennie Cordis Boswell – Chief Civil Assistant State's Attorney
Sarah Cox – ZBA Administrative Assistant

Mr. Asbell made a motion to approve the minutes from the July 14, 2022, hearing and was seconded by Mr. Duncan. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-031** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **LINDA K. RAMSEY, acting on behalf of MILDRED A. RAMSEY ESTATE (owner), a SPECIAL USE** as required in Section 20.5.2.2.1.a.1 of the Unified Development Ordinance. This section allows for a special use when a proposed land split does not meet the 25 acre minimum lot size nor the 1 dwelling unit per 25 contiguous acres density requirement in the "A-2" Agricultural District. The petitioner proposes to divide parcels of 1.284 and 1.567 acres from an existing 10.6 acre tract.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Peoria Journal Star* on July 21, 2022, and *The Chillicothe Times Bulletin* on July 27, 2022. Taylor Armbruster gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Rural and Environmental Corridor). The site plan and three videos of the property were shown. The property is zoned "A-2".

Linda Ramsey of 15400 N. River Beach Dr., Chillicothe, IL was sworn in.

Toni Wyman of 1305 Sunset Dr., East Peoria, IL was sworn in.

Ms. Ramsey stated that in the will, the property must be separated and sold. Ms. Wyman stated that the will states that Rich, Mildred Ramsey's nephew, receives the pool house and 1.2 acres, and Ms. Ramsey is trying to sell the other two homes and the parcels need to be divided in order to do so.

Mr. Fletcher asked if all three parcels would be sold. Ms. Wyman stated that Rich gets the pool house and 1.2 acres, and the other two houses would be sold to close out the estate.

Mr. Asbell asked if there was only one easement for the whole property. Ms. Wyman stated that there is driveway access to Rich's pool house and there would need to be an easement between the other two properties if they want the whole property.

Mr. Asbell asked if the petitioners would need to come back before the ZBA to get easements for the other two properties. Ms. Urban clarified that easements are handled during the platting process, and they would not need to come before the ZBA.

Mr. Fletcher asked if there would be a new driveway going to the pool house off Yankee Ln. Ms. Wyman stated that there is a place that Mr. Rowell could access the pool house from. Mr. Fletcher asked if that had been approved by the highway department.

Mr. Weber asked exactly where the entrance would be, off Yankee Lane or Route 29. Mr. Fletcher asked if there was an entrance off 29. Ms. Ramsey stated it was off Yankee Ln. Mr. Fletcher asked if that's where the new driveway would be. Mr. Weber asked if they had received approval from Peoria County Highway Department. Ms. Wyman stated that the special use needed to be approved first. Ms. Urban stated that there were comments from the Highway Department stating that they had no objections as long as a permit was obtained.

Ms. Boswell asked for a verbal confirmation, for the record, of where access for Rich's property would be. Ms. Wyman stated that the driveway for Rich's property would be off Yankee Ln.

Mr. Fletcher asked if there was anyone in the audience who wanted to speak for the petition.

Richard Rowell of 331 Fulton St., Peoria, IL was sworn in. Mr. Fletcher asked if Mr. Rowell was speaking for or against the petition. Mr. Rowell stated that it was both. He is more for it than against it. He stated that he is in the will and the pool house is what was left to him, but this was the first he had heard about the driveway access. He would like to know why he can't use the driveway and the existing well between the two houses. Mr. Fletcher stated that in the petition the plan is showing driveway access from Yankee Ln., and the other two properties would share the driveway. Mr. Rowell stated that he has always used the one driveway and had no intentions of putting another driveway in. He stated that because of the elevation it would be very difficult to put a drive in. He also stated that it is very close to 29 and previously, putting a drive there has never been approved. Ms. Urban stated that if the special use is approved, during the platting process the highway department for Yankee Ln. and IDOT for Route 29 would need to sign off on the plat and if at that time if IDOT does not sign off, another accommodation would need to be made, such as an easement. Mr. Asbell asked if that was out of the Board's hands. Ms. Urban stated that it was.

Mr. Weber asked about the well. Mr. Rowell stated that there is a well on the property that feeds the top house and the pool house. Mr. Rowell stated that it met the requirements to feed both houses, and he just wanted to make sure it stayed that way. Mr. Fletcher confirmed that one well fed the white house and the pool house, and the brick house has its own well. Ms. Urban stated that the Health Department regulates the well, and perhaps the petitioner could clarify.

Ms. Wyman stated that the reason why he was able to share the well is because his grandmother lived in the white house. She stated that if they sell the property, the new owners aren't going to want to share a well and she believes that in order to separate the three properties, they need a well and septic for each property. Mr. Fletcher asked how many septic tanks were on the property. Ms. Wyman stated that there were 3 septic tanks that were all recently replaced, and the two wells are brand new as well.

Mr. Fletcher asked if there were any other questions and there were none.

Mr. Asbell made a motion to close and deliberate and was seconded by Mr. Duncan. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-035** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **JASON BRIDSON, acting on behalf of BRENDA BAXTER (owner), a VARIANCE** request from Section 20-5.13.3.4 of the Unified Development Ordinance, which requires that for lots and parcels in platted subdivisions not created by tract surveys or in residentially zoned districts, the total floor area of all accessory buildings, attached or detached, shall not exceed the footprint of the principal structure or 1,300 square feet, whichever is less, plus 750 square feet for a private garage. The petitioner proposes to construct a 256 square foot accessory structure in the Jubilee Hills Extension #2 subdivision, on a parcel which already exceeds the allowable cumulative square footage by 350 square feet, resulting in a variance request of 606 square feet. The parcel is located within the "A-2" Agriculture Zoning District.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Peoria Journal Star* on July 21, 2022, and *The Weekly Post* on July 27, 2022. Taylor Armbruster gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Agriculture and Environmental Corridor). The site plan and two videos of the property were shown. The property is zoned "A-2".

Jason Bridson of 1618 Knox Rd. 300 N., Maquon, IL was sworn in. Mr. Bridson stated that there was an existing shed that was dilapidated, and it fell down on its own. The owners are looking to replace it. Mr. Fletcher asked how Mr. Bridson is related to the owner. Mr. Bridson stated that he is the contractor. Mr. Fletcher stated that he noticed there was a large outbuilding on the property. Mr. Bridson stated there was. Mr. Fletcher stated there was also another small shed. Mr. Bridson stated that the small one was just a plastic snap-together shed that sits on the ground. Mr. Fletcher asked what size the proposed shed would be. Mr. Bridson stated that it would be 16' x 16'.

Mr. Fletcher asked if there were any questions or comments from the Board. Mr. Duncan asked about the dilapidated shed and if it would be torn down. Mr. Bridson stated that it was already down. Mr. Duncan asked if the square footage of the downed shed was included in the total allowable square

footage. Ms. Urban stated that it would not be included since it was torn down. Mr. Fletcher asked if the new shed would have a concrete foundation. Mr. Bridson stated that it would have a monolithic poured foundation.

Mr. Fletcher asked if there were any additional comments from the board and there were none.

Mr. Fletcher asked if there was anyone that wanted to speak for or against the proposal and there was no one.

Mr. Asbell made a motion to close and deliberate and was seconded by Mr. Duncan. A vote was taken, and the motion passed; (6-0)

FINDINGS OF FACT FOR VARIANCES

Section 20-3.7.3

The findings of the ZBA or the Zoning Administrator shall be based on data submitted pertaining to each standard in this Subsection as it relates to the development. A variance shall be granted only if the applicant demonstrates:

1. That the plight of the owner is due to unique circumstances;
 - The site is in a subdivision, and it has 10 acres. There is currently a 30' x 50' building on the property and the petitioner has requested a variance for an additional 16' x 16' shed to replace an older shed that was in poor condition. The property is zoned "A-2".
2. That the variation, if granted, will not alter the essential character of the locality;
 - This is a rural subdivision with large sites, and the properties in the area all seem to have large outbuildings. Some of the properties have multiple buildings.
3. That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 - The shed will be in a place that makes it easier to access. The new shed will replace a shed that was in poor condition. It will not alter the topography, physical surroundings, shape, or size of the site or alter significant natural resources.
4. That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property;
 - This property has 10 acres. Other properties that have 10 acres that are not in a subdivision have multiple outbuildings. Others in subdivisions also have multiple outbuildings.
5. That the granting of the variation will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood in which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations;
 - Granting the variance will not be detrimental to the public health, safety, morals, and welfare of the surrounding properties. The new shed will not be detrimental to the neighborhood, as

similar properties have small buildings and properties to the north and south have larger and more outbuildings and sheds.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - The proposed variance will not impair an adequate supply of light or air to adjacent properties. It will not increase congestion on public streets, increase fire danger, endanger public safety, or diminish or impair property values in the neighborhood.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The variance granted is the minimum adjustment necessary for the reasonable use of the land.
8. That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.
 - The petitioner will have better access to the shed and it will not affect other property owners.

Mr. Duncan made a motion to approve the findings of fact and was seconded by Mr. Weber. A vote was taken, and the motion passed; (6-0)

Mr. Duncan made a motion to approve the request and was seconded by Mr. Weber. A vote was taken, and the motion passed; (6-0)

Case No. **ZBA-2022-036** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **JACK SWANSON, acting on behalf of JACK AND STACY SWANSON (owners), a VARIANCE** request from Section 20-5.13.3.3 of the Unified Development Ordinance, which requires that for lots and parcels used for residential purposes in the A-1 or A-2 Agricultural Districts which are five (5) acres or less and which are not in platted subdivisions, the total floor area of any accessory building shall not exceed one thousand three hundred (1,300) square feet, plus three hundred (300) square feet per acre. The petitioner proposes to construct a 3,200 square feet accessory structure in the "A-2" Agriculture Zoning District, which would exceed the allowable total floor area of 1,600 square feet, resulting in a variance request of 1,600 square feet.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Peoria Journal Star* on July 21, 2022 and *Limestone Independent News* on July 27, 2022. The Limestone Township Planning Commission has recommended denial. Jack Weindel gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Rural). The site plan and two videos of the property were shown. The property is zoned "A-2".

Jack L. Swanson, Jr. of 5008 S. Diamond Pointe, Mapleton, IL. Mr. Swanson stated that they live in Lake Camelot, but they are very limited in the amount of space they have storage. They plan on using

the house for recreation. The property will be used for cars and storage of equipment. He also works on cars. Mr. Fletcher asked what the use of the house would be. Mr. Swanson stated that he has kids in college, and they will be using it. He also has kids with special needs so it's a way to get away from the rest of the family. Mr. Weber stated that Mr. Swanson mentioned that he works on cars and wanted to know if the property would be used for a business. Mr. Swanson stated that he is a chemist, and he works for ADM and working on cars is just a hobby.

Mr. Fletcher stated that the proposed building is rather large for the location in the front. Mr. Fletcher asked if it would be better toward the back of the building. Mr. Swanson stated that because of the elevation it wouldn't work economically.

Mr. Asbell asked if there were other structures of this type in the surrounding area. Mr. Swanson stated that many of the properties have large out buildings, however his would be a bit larger. Mr. Fletcher asked how many structures were on the property now. Mr. Swanson stated that there is the house and small shed that is in disrepair and is about to fall in. Mr. Fletcher asked if Mr. Swanson would keep the shed. Mr. Swanson stated that he would like to repair it and keep a lawnmower and tools in it.

Mr. Asbell asked if the only objection that the township had was the visuals. Mr. Swanson stated that the township never contacted him. Mr. Fletcher asked Ms. Urban to read the minutes from the Limestone Township Planning Committee minutes.

Mr. Duncan asked if the reason Mr. Swanson didn't go to the Limestone Township meeting was because he was unaware of the time. Mr. Swanson stated that he didn't hear from the township. He stated that there were signs in his yard, one that Mr. Weindel placed and one from the township with a date of August 26, 2022. Ms. Urban stated that the township had two meetings. The second meeting was held because the original date on the sign was incorrect. Mr. Weber asked if the sign was the only way Mr. Swanson was notified. Ms. Urban stated that usually they send letters, but she didn't know what the exact process was. Mr. Fletcher asked if Mr. Swanson received mail at that location. Mr. Swanson stated that they do receive mail there, but he doesn't recall receiving a letter from the township.

Mr. Weber asked if the location of the building would in any way obstruct the view of anyone leaving the property. Mr. Swanson stated that it shouldn't. He stated that the house to the left has a view of the tree line that blocks the view of the road from the house. The neighbors' only concern was that the building would block the view of the trees and Mr. Swanson stated that it would not block their view.

Mr. Fletcher confirmed that the building would be in the front of the house. Mr. Swanson stated that it would be in front of the house in the middle of the property. Mr. Fletcher asked if any trees would need to be removed. Mr. Swanson stated that he believes that it won't be necessary to remove any trees. Mr. Asbell asked about the height of the building. Mr. Swanson stated that most of the building would be 10' tall, but there would be a portion that would be 14' in order to store a boat. Mr. Fletcher asked if any dirt would need to be brought in. Mr. Swanson stated that he picked this spot because it was relatively flat, and he shouldn't need to bring in dirt.

Mr. Fletcher asked if there was anyone that wanted to speak for or against the petition, and there was no one.

Mr. Asbell made a motion to approve the findings of fact and was seconded by Mr. Duncan. A vote was taken, and the motion passed; (6-0)

Ms. Sammis asked if the neighbors were notified of the request. Ms. Urban stated that adjacent owners were notified by letter, a sign is placed in the yard, and a notice is published in the newspaper.

Mr. Asbell stated that the building isn't that large and that is why he asked about the height as well. Mr. Asbell continued that there are pole buildings all around. Mr. Fletcher stated that his only problem is that Limestone stated that it was too big and it is close to the road. Mr. Weber stated that as long as people can see to exit the property onto Lancaster, he doesn't see a problem.

FINDINGS OF FACT FOR VARIANCES

Section 20-3.7.3

The findings of the ZBA or the Zoning Administrator shall be based on data submitted pertaining to each standard in this Subsection as it relates to the development. A variance shall be granted only if the applicant demonstrates:

1. That the plight of the owner is due to unique circumstances;
 - The outbuilding is needed for storage of personal items and equipment. The smaller shed is not large enough for storage.
2. That the variation, if granted, will not alter the essential character of the locality;
 - If the variance is granted it will not alter the character of the neighborhood. This is a fairly rural area, and other properties in the area have large outbuildings similar to the size. Not quite as big but similar.
3. That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 - Because of the particular physical surroundings, lay of the land, the topography, the location and size of the building, it would be an inconvenience if the strict letter of the regulations were carried out. The property topography is such that, placement in this spot, would be the best for the site.
4. That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property;
 - Due to the hillside and topography of the location, and the need for storage of equipment, the building cannot be smaller or placed in a different area.
5. That the granting of the variation will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood in which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations;
 - The requested variance will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood.

6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - The building would be approximately 14' tall and it would not impair light or air to adjacent properties. The building would not increase traffic or congestion on the roadway, and it would not increase the danger of fire or public safety or diminish or impair property values in the neighborhood or adjacent properties.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The variance is the minimum adjustment necessary due to the topography of the site and the size of the building that is needed for storage.
8. That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.
 - The conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.

Mr. Duncan made a motion to approve the findings of fact for the pool and was seconded by Mr. Weber. A vote was taken, and the motion passed; (6-0)

Mr. Asbell made a motion to approve the request and was seconded by Mr. Duncan. A rollcall vote was taken, and the motion was approved; (6-0)

Case No. **ZBA-2022-034** at 9:00 a.m. Hearing to be held in Room 403, of the Peoria County Courthouse, Peoria, Illinois.

Petition of **CHERYL A. PERRILLES, acting on her own behalf, a VARIANCE** request from Section 20-3.2.14 of the Unified Development Ordinance, which requires a maximum of 2 permits for the same construction project for a single structure. The petitioner is requesting a fourth permit to complete construction of a single-family residential dwelling in the "A-2" Agriculture Zoning District.

Ms. Urban opened the case. There are 0 consents and 0 objections on file. The case was published in *The Peoria Journal Star* on June 21, 2022, and again on July 21, 2022, and *Limestone Independent News* on June 22, 2022, and again on July 27, 2022. The Limestone Township Planning Commission has recommended approval. Jack Weindel gave a brief presentation of the countywide map, aerial view of the property, surrounding zoning, and future land use plan designation (Rural). The site plan and two videos of the property were shown. The property is zoned "A-2".

Cheryl Perrilles of 5121 S. Alaska Rd., Peoria, IL was sworn in.

Darryl Perrilles of 7624 W. Pfeiffer Rd., Mapleton, IL was sworn in.

Mr. Perrilles stated that the last permit they received was issued in March 2020, just prior to the COVID shutdown. Material and labor were hard to get. Mr. Perrilles also stated that he is a teacher, so he was only working on the construction of the home part time. He stated that they were issued a stop work

order and they hadn't been able to work on it since. They have secured funding to be able to hire some of the work out, as he has been the sole contractor.

Mr. Asbell asked if the original permit was issued in 2007. Mr. Perrilles stated that it had, when he was the owner of the property. Mr. Asbell asked what happened. Mr. Perrilles stated that because of financial reasons, it didn't get finished. When they decided to finish it, they got the permits. Mr. Perrilles stated that he wasn't sure how many permits they had had. Ms. Urban listed the permits that had been issued for this property.

Mr. Fletcher stated that the home was still missing siding. Mr. Perrilles stated that the siding was torn off due to the weather. The home had been completely dried-in. Mr. Fletcher confirmed that the roof, fenestration, windows, doors, and siding were all completed shortly after the first permit was issued. Mr. Perrilles stated that it was. Mr. Fletcher asked what the status of the interior of the home was. Mr. Perrilles stated that it is still bare studded, the electrical work is about 90% complete, the drain waste system is installed, and as far as the HVAC, the furnace has been purchased, but hasn't been installed yet. Mr. Asbell confirmed that there wasn't a contractor involved. Mr. Perrilles stated that his sister, Ms. Perrilles, is a single woman with a disability and he is just trying to help her out as much as he can. Mr. Fletcher asked if Mr. Perrilles lived next door. Mr. Perrilles stated there was a house in between. These properties were part of a subdivision he had done in the early 2000s. Mr. Fletcher asked how many lots were in the subdivision. Mr. Perrilles stated that there were four. Mr. Fletcher asked how many of the properties were owned by his family. Mr. Perrilles stated that Ms. Perrilles owned the property in question and the property to the east. Ms. Perrilles stated that the house was originally just an investment. She is currently living with her mother and taking care of her and her sister lives in the house next door. They want to finish this house so that her sister, with two children, could move into it.

Mr. Fletcher asked if they were going to hire a contractor now that funding has become available. Mr. Perrilles stated that they weren't going to hire a contractor because it isn't affordable. Ms. Perrilles stated that they would hire subcontractors. Mr. Perrilles stated that he was still going to do some of the work. Mr. Fletcher asked how long they thought it would take to complete the work. Mr. Perrilles wasn't sure. Mr. Fletcher asked if it would be completed in the timeframe of the two-year permit. Mr. Perrilles wasn't sure if he would be approved for a two-year permit, but when speaking to Mr. Weindel, he thought it would only be approved for a one-year permit. Mr. Perrilles stated that he goes back to work next week, and it would take longer but they would be able to get it done within the timeframe. Ms. Urban stated that if there is a substantial improvement that is left to be completed the department would issue a 2-year permit. Ms. Urban stated that there was more done than the department was aware of. The length of the permit will depend on the amount of work left to be done.

Mr. Fletcher asked what the percentage of completion for the property was. Mr. Perrilles stated that there is no drywall, no insulation, the electrical is approximately 90% complete, and the waste system has been installed. He is waiting for an inspection to begin the insulation. Mr. Fletcher asked if anyone was living in the property because there was an air conditioner unit in the window. Mr. Perrilles stated that he put that in while he was working on the house.

Mr. Duncan stated that Mr. Perrilles didn't give an answer about the percentage of completion. Mr. Perrilles stated that he felt that they would receive less than 50% of the value of the completed home.

Mr. Duncan asked if the time frame of the permit was based on percentage of completion or percentage of the value of the home. Ms. Urban stated that it was based on the value of the property.

Mr. Fletcher asked if there was anyone that wanted to speak for or against the petition and there was no one.

Mr. Asbell made a motion to close and deliberate and was seconded by Mr. Pollack. A vote was taken, and the motion passed; (6-0)

Mr. Asbell stated that the board has seen this before, and 15 years is a long time. He also stated that if they hired a contractor now, it still might not be completed in time since getting materials takes so long.

Mr. Fletcher stated that his concern is that if the variance is granted, will the work actually be completed. Mr. Weber stated that 15 years is a long time and that they were running out of excuses, and he doesn't see it being completed in two years.

FINDINGS OF FACT FOR VARIANCES

Section 20-3.7.3

The findings of the ZBA or the Zoning Administrator shall be based on data submitted pertaining to each standard in this Subsection as it relates to the development. A variance shall be granted only if the applicant demonstrates:

1. That the plight of the owner is due to unique circumstances;
 - The owner is requesting a fourth permit to complete the construction of a single family home that was started in 2007. The dwelling is in the "A-2" district. The owner has had difficulties getting subcontractors to finish and complete the work and there was also a slow down with COVID.
2. That the variation, if granted, will not alter the essential character of the locality;
 - If the variance is granted it will allow the owners to complete the home. This will enhance the neighborhood and improve the essential character of the neighborhood.
3. That because of the particular physical surroundings, shape, or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations were carried out;
 - If the variance were to be denied, the petitioner would be unable to complete the construction of the house. The property would remain as it is, unfinished, unlivable, and result in a hardship for the owner. If the variance is granted the property could be completed by the owner. If it is denied it could be sold or given to a party that has the means and capability to finish the home in a timely manner.
4. That the conditions upon which the petition for a variation are based are unique to the property for which the variance is sought and are not applicable, generally, to other property;
 - As stated previously, the owner is requesting another permit to complete the property. Although most properties are completed and finished within the first permit period, the owners have had problems with contractors and getting the work finished.

5. That the granting of the variation will not be detrimental to the public health, safety, comfort, morals, and welfare, or injurious to other property or improvements in the neighborhood in which the property is located, or otherwise be inconsistent with any officially adopted County plan or these regulations;
 - Granting the variance would not be detrimental to the public health, safety, comfort, morals and welfare of the neighborhood. It would not be injurious to other properties or neighborhood improvements. Granting the variance would not be inconsistent with any adopted County plan or regulation.
6. That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the neighborhood;
 - Granting of the variance would improve the neighborhood, enhance the nearby homes, and increase property values in the immediate area.
7. That the variance granted is the minimum adjustment necessary for the reasonable use of the land; and
 - The fourth permit is needed to complete the project on the house and make it livable.
8. That aforesaid circumstances or conditions are such that the strict application of the provisions of this Section would deprive the applicant of reasonable use of his or her land.
 - The property is near completion and needs the final permit to complete the house. If this were to be denied the petitioner would not be able to complete the house, and it would remain unlivable without a certificate of occupancy.

Mr. Duncan made a motion to approve the findings of fact and was seconded by Mr. Weber. A vote was taken, and the motion passed; (6-0)

Mr. Asbell made a motion to approve the request and was seconded by Mr. Duncan. A rollcall vote was taken, and the motion passed; (4-2)

Mr. Asbell made a motion to adjourn and was seconded by Mr. Weber. A vote was taken, and the motion passed; (6-0)

Meeting adjourned at 10:35 a.m.

Respectfully submitted,

Sarah Cox
ZBA Administrative Assistant