

**Summary of Minutes
Jacksonville Zoning Board of Appeals
January 4, 2023**

Chairman Michael Oldenettel called the monthly meeting of the Jacksonville Zoning Board of Appeals to order at 6:14 p.m. The agenda and petition were published with the local media and by posting at the Municipal Building.

ROLL CALL: Answering present were: Michael Oldenettel – Chairman, Aaron Scott, Casey Collins, Brad Cors, Nick Little; City Attorney Dan Beard; City Clerk Skip Bradshaw. Absent from the meeting were members John Heyer and Kerris Osborn. Also in attendance was Community Development Director Brian Nyberg. A quorum was declared.

MINUTES: Motion was made by Scott, seconded by Little, to approve the December 7, 2022 Plan Commission Meeting Minutes as presented in advance. **By voice vote, motion carried.**

CC Bradshaw read Item #3 on the Agenda. **Review petition for variance to property located at 1820 Mound Road regarding a fence. Property is zoned R-1. Application by Michael Hankins.** There was no one in attendance to represent this petition. CA Beard advised that Mr. Hankins originally planted a row of trees that died later that year, so he decided to install a fence. He then became aware after the fact that he needed a permit to construct a fence, and a variance to the height of the fence. After viewing the property and where the fence is located, CA Beard does not see any issues with approving this request subject to payment of the necessary fees and approval of the variance. The variation would be to allow a variation to the height of the fence from a 3 ft. to 6 ft.

Chair Oldenettel asked for further discussion, or if there was anyone in attendance to speak in favor of, or opposition to, this request and there were none. Motion was made by Collins, seconded by Scott, to approve this request based upon the findings of fact in Section 11.3-4 of the Zoning Ordinance, number 2-4, that the plight of the owner is due to unique circumstances; that the variation, if granted, will not alter the essential character of the locality; and that the granting the variation desired will not violate the general spirit and intent of this ordinance.

ROLL CALL: 5 Yeas; 0 Nays; 2 Absent (Heyer, Osborn)
Motion carried 5-0-2.

CC Bradshaw read Item #4 on the Agenda. **Review petition for variance to property located at 876 West State Street regarding a sign. Property is zoned R-3. Application by Edmund Sindicich.** CC Bradshaw swore in Mr. Sindicich to represent this petition. CA Beard advised that the standards for a Bed & Breakfast sign are outlined in the short-term rental ordinance, not the Zoning Ordinance. A sign is allowed no further than 10 ft. from the front of the building and is limited to 6 sq. ft. Mr. Sindicich is wanting to install a bigger sign closer to the road. The Zoning Ordinance only allows variations of regulations, not for distances and size. Therefore, this request needs to be presented to the Council first to see if they are amenable to changing any of those requirements. Mr. Sindicich explained that his house is unique in that the house sits back farther than most houses on State Street and that a sign that small would be difficult to be seen from the road. Brief discussion ensued and at the end of discussion it was decided to withdraw this request pending approval by the City Council.

OTHER BUSINESS: No discussion.

PUBLIC COMMENT: No discussion.

ADJOURNMENT: With no further discussion motion was made by Scott, seconded by Collins, to adjourn the meeting at 6:22 p.m.

Recorded by City Clerk Skip Bradshaw.