

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

DRAFT

A public meeting of the Fairbury Zoning Board of Appeals was held at the City Hall in Fairbury, Illinois at 6:30 PM on Monday, September 15, 2025, pursuant to a notice published in the Daily Leader.

Present: Zoning Board Chairman Gerry Vance, Zoning Board members Cory Cottrell, Sam Pica, Matt Davis, Leroy Rodriguez and Seth Welch. Also, present were two members of the Terry Gray family representing the applicant Glenda Meyer, potential buyer Joseph Cliffe, real estate agent Joseph Keeley, City Attorney Matt Schrock, Zoning Board of Appeals Secretary Jessica Wenger and Zoning Administrator Brett Ashburn.

Chairman Vance called the meeting to order at 6:31 PM. At this time Chairman Vance asked for a moment of silence for board member Tom Bull who passed away September 6, 2025. He then briefly outlined the application request. He then directed Zoning Secretary Wenger to read aloud the reason for the hearing.

Glenda M. Meyer, will petition the Zoning Board of Appeals of the City of Fairbury at City Hall, 201 W Locust St, Fairbury, Illinois 61739, in a hearing to be held on September 15, 2025, at 6:30pm., considering a change in zoning map from "R-2" (Single-Family Residential District) to "C" (Commercial District), with respect to the following described real estate to-wit:

LOTS 1 & 2 BLK 25 MARSH ADD IN THE CITY OF FAIRBURY, LIVINGSTON COUNTY, ILLINOIS.
PARCEL NO. 25-25-03-388-005

and commonly known as 401 W Walnut St, Fairbury, Illinois 61739.

Chairman Vance opened the hearing by offering the Terry Gray family the opportunity to elaborate on their request. The family stated that they thought this would be a good idea because the house itself is in poor condition and needs to be torn down, but the family members are older and they themselves no longer want the responsibility of the house.

Member Davis asked what the buyer is looking to do with the property if it were to be rezoned. Joe Keeley explained that Joe Cliffe (potential buyer) would like to put storage units on the property. Joe Cliffe added that he would like to have storage units on the bottom and an apartment to rent out on the second level with hopes the apartment would help with paying for the cost to build the building. The storage units would be for his own personal large items he wants to store, but there would be a few more units to rent out to other people.

Member Davis asked if living courters can be built on a commercial lot. Zoning administrator Ashburn confirmed that you can. Attorney Schrock expanded on that by explaining that anything that can be built in an R-1 or R-2 district can also be built in a commercial district. Schrock asked Ashburn if there were any restrictions on building sheds to be used as houses. Ashburn explained there is nothing in the code against it.

Attorney Schrock wanted the members of the zoning board to understand that once a property is zoned commercial it is open for the owner to build anything allowed by the standards of the commercial zoning in the code book. Schrock also questioned if a commercial zoning was the correct zoning for this project. He explained the way he interpreted the code was commercial storage would need an industrial zoning. He advised against that type of zoning for this property. Member Welch asked if it was allowed to grant the variance making it contingent on the fact that it could only be used for storage units. Attorney Schrock explained that is not a possibility.

Joe Keeley asked for clarification. Attorney Schrock explained that whether its Joe Cliffe or a potential owner in the future, as long as a building permit is correctly filled out, brought to City Hall and approved there are no other restrictions that can be added. As long as the structure is allowed in a commercial district and follows all City codes, it can be built.

Joe Keeley explained that the people living on the south side of Walnut Street were all under the impression that they were already zoned as commercial like the north side of Walnut. Attorney Schrock explained that there are a few properties on the south side that are commercial, but the entirety of the block where this property is located is residential. Schrock explained that he is trying to educate the board, so they can make an informed decision.

Chairman Vance explained that because the south side is spot zoned commercial, they could have been operating as businesses when Fairbury began their zoning department in the 1960s. Joe Keeley asked if the zoning in that area had changed since then. Vance said there is only one property in that area that was changed to commercial since then to his knowledge.

Member Davis asked if Joe Cliffe could purchase the property as a residential property, and then come and request a variance to use the property as a commercial property. That way if Cliffe were ever to sell the property the variance would be void and the property would revert back to residential. Attorney Schrock explained that a variance does not work in that way.

Member Davis asked for clarification on whether storage units can be built in a commercial district. Attorney Schrock said he does not believe so by the way the code reads. Joe Cliffe brought up the other storage units in town that are on commercial properties. Member Davis said he believes the property would need to be rezoned as industrial not commercial.

Member Davis brought up keeping the property residential and leaving the house that is there and adding a large storage shed to the property. Zoning administrator Ashburn explained a variance would most likely be needed in the case of the shed being more than 60% of the principle residence as the house is not very big.

Member Davis wanted to clarify what the storage units would be used for. Joseph Cliffe explained it would be used for camper storage and items of that nature not for shop space or business space.

Attorney Schrock and Zoning Administrator Ashburn had a discussion on commercial storage versus retail storage. It was concluded that the storage units Joe Cliffe is planning to build would be considered retail storage, which is allowed in a commercial district.

Chairman Vance wanted the board to be aware that if this rezoning is approved this lot would now be commercial and anything that falls under that portion of the code can be built there.

He also wanted them to consider if this is approved others may come in seeking their property on Walnut be rezoned commercial too. Discussion ensued about what a commercial lot would entail for future buyers and what can be built in a commercial zone.

Member Davis explained that this would be a beautification to the lot.

Member Welch questioned how current the comprehensive plan is, and would like to make time to go over everything and updated what needs done. He went on to explain the property would be more useful and productive as something other than an empty dilapidated house, and is inclined to vote yes.

Member Welch made a motion to vote. Member Pica Seconded.

Chairman Vance asked if there was any further discussion. Upon no further discussion the matter was put to a vote.

Should the rezoning petition from Glenda M. Meyer be approved as presented:

Pica-YES Cottrell-NO Davis-YES Welch-YES Rodriguez-YES Vance-NO

The rezoning request was approved.

No other matters were discussed. Member Rodriguez made a motion to adjourn. Seconded by Member Welch, and the meeting adjourned at 7:03 p.m.

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