

STATE OF ILLINOIS)
)
COUNTY OF BUREAU)

In the Matter of the Petition

of

Thomas E. Derick

Concord Township
Bureau County, Illinois

Testimony of Witnesses
Produced, Sworn and
Examined on this 17th day
of April, A.D., 2025,
before the Bureau County
Zoning Board of Appeals

Present:

Troy Quest
Jim Forristall
Bill Jensen
Mike Stutzke
Barry Welbers, Chairman

Samantha Holt, Secretary
Kristine Donarski, Zoning Enforcement Officer

1 MR. WELBERS: Okay. Our next case, Thomas
2 E. Derick.

3 Parcel Number, 14-34-302-009.

4 Common location, northwest corner of North
5 Walnut Street and North Street, 202 North Walnut
6 Street, Buda.

7 Property presently zoned R-2.

8 A request for a Variation to build up to a
9 16-foot by 16-foot single-story addition as
10 close as 3 feet from the right-of-way of North
11 Street; requires 25 feet. Requesting up to a
12 22-foot front yard Variation. Applicant also
13 wishes to build up to an 8-foot by 9-foot deck
14 with steps on the north side of the existing
15 home. Proposed deck and steps will be as close
16 as 7 feet from the right-of-way of North Walnut
17 Street; needs 25 feet. Requesting up to an
18 18-foot front yard Variation. And also
19 requesting a Variation to expand a nonconforming
20 structure to add said addition and deck with
21 steps to the existing nonconforming home.

22 Present use is a single-family home.

23 From the Village of Buda: Our
24 municipality has no objection to the above

1 application.

2 Proof of publication is here.

3 Bureau Valley Community Unit District
4 Number 340: Our School District has no
5 objection to the above application.

6 From the Bureau County Soil and Water
7 Conservation District:

8 The District has reviewed the request
9 from Thomas Derick for a Variation on
10 property in Concord Township as applied in
11 Case 23-03-14-1V. The request is for
12 building a garage addition. The Soil and
13 Water Conservation District finds that
14 impact to natural resources from the
15 proposed project is minimal for the
16 purposes of the Natural Resource Inventory
17 Evaluation. A full NRI report will not be
18 necessary, but we would like to highlight
19 the following resource areas below:

20 Historic Cover. The existing
21 property is within the Central Cornbelt
22 Plains Ecoregion of Illinois.
23 Historically prairie was likely the
24 dominant land cover type here, consisting

1 of tall grasses and flowering plants.

2 Soil Properties. The property is
3 located on Osco silt loam soils, which are
4 well-draining and suitable for crops.

5 This letter fulfills your requirement
6 to notify the Soil and Water Conservation
7 District of land use changes as per the
8 Illinois Compiled State Statutes, Chapter
9 70, Paragraph 405; Illinois Revised
10 Statutes, Chapter 5, Paragraph 406.

11 If you have any questions concerning
12 this letter, please feel free to contact
13 our office.

14 Is the Applicant here for this?

15 THOMAS DERICK,
16 being first duly sworn, testified as follows:

17 MS. HOLT: Can you please state your name
18 for the record.

19 MR. DERICK: My name is Thomas Derick,
20 202 North Walnut Street, Buda, Illinois.

21 MS. HOLT: Thank you.

22 MR. WELBERS: Tell us more.

23 MR. DERICK: All right. I would like a
24 16-by-16 addition to the west side of my house

1 as a bedroom, first floor bedroom, is what the
2 intent is. Also a porch on the other side of
3 the house, northeast side, I guess it would be.
4 It is just the entryway for the house.

5 Basically I'm just trying to get on the
6 first floor. We're not getting any younger, so
7 going up and down the stairs.

8 MR. WELBERS: We had this discussion a
9 little while ago before the meeting now. I was
10 not feeling any older, but everyone else seems
11 to think they are.

12 But anyway, go ahead. Is that what you
13 need to say?

14 MR. DERICK: Yes.

15 MR. WELBERS: Kris, do you have some
16 questions?

17 EXAMINATION

18 BY MS. DONARSKI:

19 Q. Tom, will the placement of the deck at this
20 location impede or obstruct the vision of
21 vehicles exiting the property, backing out of
22 your driveway or anything like that?

23 A. It would be even with the house. So it won't
24 come out any farther than what it is currently

1 there.

2 Q. Okay. Now, will the placement of the deck and
3 room addition at this location impede or
4 obstruct vision of vehicles at the corner of
5 Walnut Street and North Street?

6 A. It will not.

7 Q. Okay. Now, what are the existing land uses on
8 the adjoining properties around you?

9 A. It's all residential.

10 Q. Okay. Now, is your home on the Village water
11 and sewer?

12 A. It is.

13 Q. Now, is your land, is it flat or is it sloping,
14 or what is your yard?

15 A. It's mostly flat. There's a little bit of a
16 fall-away from where this new room would be.

17 Q. So you will have to bring in some fill to do
18 that? Or how are you going to handle that?

19 A. The foundation will take care of what we're
20 trying to do.

21 Q. Okay. What fire district are you located in
22 there?

23 A. Buda, I guess, yeah.

24 Q. And your school district?

1 A. Bureau Valley.

2 MS. DONARSKI: Okay. That is all my
3 questions.

4 MR. WELBERS: Do we have anyone here
5 interested in this application, questions of the
6 witness?

7 MS. DONARSKI: I missed one.

8 MR. WELBERS: Okay.

9 Q. (By Ms. Donarski:) Are you going to have
10 gutters and downspouts on your addition?

11 A. Yes.

12 MS. DONARSKI: I'm good then. Thank you.

13 MR. WELBERS: We also have no one
14 interested in that.

15 Is there any questions from our Board?

16 (No verbal response.)

17 MR. WELBERS: Michael, you inspected this
18 one?

19 MR. STUTZKE: I did. I had the pleasure
20 of meeting with Mr. Derick and we walked around.

21 With that in mind and with his testimony,
22 I would move forward with a motion to recommend
23 approval for a Variation to build up to a
24 16-foot by 16-foot single-story addition as

1 close as 3 feet from the right-of-way of North
2 Street; needs 25 feet. Requesting up to a
3 22-foot front yard Variation. Applicant also
4 wishes to build up to an 8-foot by 9-foot deck
5 with steps on the north side of the existing
6 home. Proposed deck and steps will be as close
7 as 7 feet from the right-of-way of North Walnut
8 Street. He needs 25 feet. Requesting up to an
9 18-foot front yard Variation. Also requesting a
10 Variation to expand nonconforming structure to
11 add said addition and deck with steps to
12 existing nonconforming home.

13 MR. WELBERS: Motion is made. Is there a
14 second?

15 MR. JENSEN: I'll second that.

16 MR. WELBERS: Mr. Jensen is the second.

17 Samantha, please call the roll.

18 MS. HOLT: Mr. Jensen?

19 MR. JENSEN: Yes.

20 MS. HOLT: Mr. Forristall?

21 MR. FORRISTALL: Yes.

22 MS. HOLT: Mr. Stutzke?

23 MR. STUTZKE: Yes.

24 MS. HOLT: Mr. Quest?

1 MR. QUEST: Yes.

2 MS. HOLT: Mr. Welbers?

3 MR. WELBERS: Yes.

4 (By voice vote five ayes.)

5 MR. WELBERS: So it's approved.

6 MR. DERICK: Thank you.

7 MS. DONARSKI: Give me a call when you're
8 ready.

9 MR. DERICK: I'll come in Monday.

10 (The hearing was concluded at
11 7:28 p.m.)

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Now on this 17th day of April, A.D., 2025,
I do signify that the foregoing testimony was
given before the Bureau County Zoning Board of
Appeals.

Barry Welbers, Chairman

Kristine Donarski,
Zoning Enforcement Officer

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