

PLANNING & ZONING COMMISSION
Tuesday, September 8, 2020
MINUTES

The Rochelle Planning and Zoning Commission met at 6:00 p.m. on Tuesday, September 8, 2020 in the Council Chambers of City Hall, 420 N. 6th Street, Rochelle, IL 61068. Present on Roll Call were Board members: McNeilly, Myers, Chiavini, Snyder-Chura, and Colwill. Absent: Carson and Wolter. A quorum of five was established. Non-voting members present were: Becker and Leisher. Also present were Michelle Pease, Michelle Knight, Geoff Starr and Sam Tesreau. Myers moved and seconded by Chiavini, I move to appoint Colwill as acting Chairman in Carson's absence. Motion carried 5-0.

Minutes: McNeilly moved and seconded by Myers, **"I move the minutes of the August 3, 2020 Planning and Zoning Commission meeting as presented be approved."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: none. Motion carried 5-0.

Public Commentary: None

Commissioner Comments: None

Business Items: PZC-08-20, Bobby Chadwick, 309 Woolf Court, Variance of Lot Coverage. Pease stated that a notice was published in the paper and mailed to property owners. Motion made by Chiavini, seconded by Snyder-Chura, **"I move the Planning and Zoning Commission open the Public Hearing regarding the proposed Variance of Lot Coverage for the property located at 309 Woolf Court."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: none. Motion carried 5-0. The petitioner is seeking a variance of lot coverage for a sidewalk and a driveway connecting the alley to the garage located at 309 Woolf Court, which is zoned R3. Currently, the petitioner has exceeded the maximum lot coverage by approximately 14% with an addition to the home and an attached garage which was previously permitted, prior to current staff. The petitioner applied for the driveway at the time he applied for the addition and attached garage; however, the driveway was not carried over from the application onto the permit or completed within the one-year time frame. The addition and attached garage were completed by 2019, with no documented final inspection. In 2020, the petitioner assumed he could complete the final phase of his project by installing his driveway. For the petitioner to be issued a permit to install the driveway and sidewalk, which will be an additional 11.2% of lot coverage, a variance is required. The total lot coverage would then be at 57.9%. City code requires a hard surface be installed per Section 110-634. Although existing gravel driveways are grandfathered, staff feels that since the driveway already exists in gravel to the garage, and the City's code requires an impervious surface for driveway's, that a variance should be granted in order to abide by the City's codes. This would also be more aesthetically appealing to the neighborhood. Motion made by Chiavini, seconded by Myers, **"I move the Planning and Zoning Commission close the Public Hearing."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: none. Motion carried 5-0.

Findings:

1. Is the proposed variance allowed in the proposed zoning district, but only with a variance?

Yes: 5 No: Explanation: _____

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a variance. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a variance. Each question should state an answer and give an explanation. If the answer to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: No: 5 Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: No: 5 Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: No: 5 Explanation: _____

5. Will the proposed variance:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: No: 5 Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the petitioner be granted the proposed variance at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

Motion made by Snyder-Chura, seconded by Myers, **"I move the Planning and Zoning Commission recommend to the City Council that it Approve the proposed Variance of Lot Coverage for the property located at 309 Woolf Court, based on the report of findings."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: None. Motion carried 5-0.

PZC-09-20, Pasquesi Farms, LLC dba Mightyvine, 222 Centerpoint Drive, Variance of Setbacks. Pease stated that a notice was published in the paper and mailed to property owners. Motion made by Myers, seconded by Snyder-Chura, **"I move the Planning and Zoning Commission open the Public Hearing regarding the proposed Variance of Setbacks for the property located at 222 Centerpoint Drive."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: none. Motion carried 5-0. The petitioner is seeking a variance of setbacks in order to construct a proposed packhouse expansion, located at 222 Centerpoint Drive located in the Centerpoint Intermodal Center, Phase I, Lot Two, which is zoned I2, General Industry. The petitioner is requesting a 20' front setback rather than the required 60' front setback. The location for the proposed packhouse was chosen in order to be contiguous with the existing packhouse. A minimum 50' interior parkway from the Right of Way is required for a landscape buffer. All other lots within the Centerpoint subdivision have met the landscaping buffer requirement. There is an existing 10' utility/drainage easement adjacent to the property requesting the variance. The proposed packhouse would be less than 10' from the existing easement. All other buildings within the Centerpoint subdivision have also met

the required building setbacks. Gary Lazarski with Mightyvine was present and explained the reason for the variance request is to accommodate their growing business and to keep the packhouse contiguous with the existing packhouse. Commissioners asked about alternative locations or a smaller expansion, requiring less of a setback variance. Concern was also mentioned regarding the safety of entering and exiting the driveway with the proposed expansion. Commissioners asked Sam Tesreau questions regarding the code requirements and detention. Rick and Doris Kennay spoke regarding their concerns as adjacent property owners. Kennay's have concern of setting a precedent for future expansion. Motion made by McNeilly, seconded by Snyder-Chura, **"I move the Planning and Zoning Commission close the Public Hearing."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: none. Motion carried 5-0.

Findings:

1. Is the proposed variance allowed in the proposed zoning district, but only with a variance?

Yes: 5 No: _____ Explanation: _____

If the answer to any of the following questions is "Yes", then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is "No", then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is "No", but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: 1 No: 4 Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: 5 Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: 3 No: 2 Explanation: _____

5. Will the proposed variance:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: _____ No: 5 Explanation: _____

Recommendation: Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that the Petitioner be denied a variance for the proposed use at the Subject Property.

Motion made by Snyder-Chura, seconded by Myers, **"I move the Planning and Zoning Commission recommend to the City Council that it DENY the proposed Variance of Setbacks for the property located at 222 Centerpoint Drive, based on the report of findings."** A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, and Chiavini. Nays: Colwill. Motion carried 4-1.

Discussion Items: None

Adjournment: Motion made by Snyder-Chura, seconded by Chiavini, “**I move to adjourn the regularly scheduled meeting of the Planning and Zoning Commission of September 8, 2020.**” A roll call vote was taken. Ayes: McNeilly, Myers, Snyder-Chura, Chiavini, and Colwill. Nays: none. Motion carried 5-0. The Planning and Zoning Commission adjourned at 7:12 p.m.

Michelle Knight
City of Rochelle