Zoning Board of Appeals
City of Geneseo
Monday September 28, 2015 at 7:00 P.M.

City Council Chambers
115 S. Oakwood Avenue
Geneseo, Illinois 61254

AGENDA

AGENDA ITEM                      COUNCIL ACTION

1. ROLL CALL

2. MINUTES
   Minutes of the Zoning Board of Appeals:
   a. Minutes from 8/03/15

3. PUBLIC HEARING:
   Case #15-022 Request of two variances for the property located on Lot 2 of the Larry Vandersnick subdivisions on S. Illinois Street Geneseo, IL 61254:
   a. Rear Yard Setback from 30 feet to 15 feet
   b. Minimum Lot size requirement for R-2 Zoning with a duplex from 13,000 square feet to 11,602.46 square feet

   A rear yard setback variance from 30 feet to 15 feet is requested and prior to October 26, 1982 to reduce their rear yard to not less than 20% of the lot depth.

   The 2nd request is for the required minimum square footage per unit for a duplex in an R-2 zoning district. R-2 zoning requires 6,500 square foot per residential unit. This parcel is 11,602.46 square feet which would leave the lot 1,397.54 square feet short of the 13,000 square feet required for the duplex unit.

4. CLOSE PUBLIC HEARING:
Zoning Board of Appeals
City of Geneseo

Monday September 28, 2015 at 7:00 P.M.

City Council Chambers
115 S. Oakwood Avenue
Geneseo, Illinois 61254

**AGENDA**

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<tr>
<th>AGENDA ITEM</th>
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<td>5. <strong>NEW BUSINESS:</strong></td>
<td>Consideration of the requested two Variances for property located at Lot 2 of the Larry Vandershnick subdivision on S. Illinois Street Geneseo, IL 61254.</td>
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<td>6. <strong>ADJOURNMENT</strong></td>
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Chairman Nanni called the meeting to order at 7:02 PM. Recording Secretary Loree K Phlypo called the roll and the following members answered as present: Nanni, Schang, Catton, Bassier, Chavez and Bell. Butch Will was absent. Also in attendance: Building Inspector Rick Mills, City Administrator Kotter. Tim Gronski representing the School District and Cal Hart, resident.

Chairman Nanni presented the Minutes of Monday, June 1, 2015 and Monday, July 27, 2015.
Motion by Bassier, Second by Bell to approve the minutes from 6/1/15 as presented.
Voice Vote: All Ayes. Motion Carried.

Motion by Schang, second by Bassier to approve the minutes from 7/27/15 as presented.
Voice Vote: All Ayes. Motion Carried.

No correspondence was received in response to this item.

#15-019 - To consider two requested variances for property located at 700 North State Street, front yard setback and height limit.
The Geneseo School District is in the planning stages of a 20,000 square foot addition to the south wing of the Geneseo High School. This addition will be a fine arts center an auditorium that will be added to the southwest corner of the current structure. The section of the current building that is being added on to is currently approximately 64’ back from the front property line with the main front section approximately 53’ back from the front property line. The applicants are proposing the addition be setback 15’ from the front property line which would be a 10’ variance from the required 25’. Also the applicants are asking to be allowed to construct this addition at a height of 40’ which is 5’ greater than the allowed 35’ maximum height limit in the R-2 zoning district.

School District Representative Tim Gronski reported that this request is in response to the Bond Referendum that passed. This request is to expand the Fine Arts building to the South into the bus lane. The height request would be 5’ over the aloud height of 35’ for this zoning class. The height would allow a Mezzanine to be built that would add extra seating and viewing of both the Concert Hall and the Theatre. City departments have reviewed the request and see no problems with utility movement and minimal relocation of street lights.

Resident Cal Hart expressed concerns over decreasing property values due to the building size, ongoing construction and traffic increase.

Gronski reported that the School district owns property near Ogden and State streets and would consider demolishing and opening up the lot for a parking alternative.

Motion by Schang, second by Bassier to grant both variances for the property located at 700 North State Street.
Roll Call Vote:
City of Geneseo, Henry County, Illinois  
Zoning Board of Appeals  
Monday, August 24, 2015 at 7:00 PM  
City Council Chambers

Ayes: (6) Nanni, Schang, Chavez, Catton, Bassier, Bell (6)  
Absent: (1)  
Nayes: (0)  
Abstain: (0)  
Motion Carried

Other Business  
Board Member Loretta Chavez stated that she would be resigning as of November 1, 2015. She will submit her resignation in writing. She has been on the board for 30 plus years.

Adjournment  
Motion by Bassier, second by Schang to adjourn the meeting at 7:26 p.m.  
Voice Vote: All Ayes. Motion Carried.

Loree K. Phlypo  
Recording Secretary
Zoning Board of Appeals Case Report

HEARING DATE: September 28th 2015
Filing Date: 08/06/2015
Case No.: 15-022
Project Address: Lot 2 of the Larry Vandersnick subdivision on S. Illinois Street
Historic Landmark: N.A.
Zoning: R-2
Applicant: Rob and Jim Ries
Staff Contact: Rick Mills
Reviewed By: Lisa Kotter

PROPERTY DESCRIPTION:
LT 2 Larry Vandersnick Subdivision City of Geneseo
08-21-407-067

PROJECT DESCRIPTION:
There has been a request from Rob and Jim Ries for a rear yard setback variance from 30 feet to 15 feet. The zoning ordinance allows for lots of record prior to October 26th 1982 to reduce their rear yard to not less than 20% of the lot depth (this lots depth for the majority is 74.44 feet deep, 20% of 74.44 is 14’1”). Since this parcel has just been created by splitting one big lot into two smaller lots this lot was not on record prior to the date listed above in 1982.

They are also requesting a variance for the required minimum square footage per unit for a duplex in an R-2 zoning district. They would like to construct a duplex on the parcel which in an R-2 zoning district requires 6,500 square foot per residential unit. This parcel is 11,602.46 square feet which would leave the lot 1,397.54 square feet short of the 13,000 square feet required for the duplex unit.

Currently on the lot there is a two car garage that sits on the north end of the lot. In the application, the applicants state that this building will come down.

OTHER ACTIONS REQUIRED:
This project will need to go back to the Plan Commission for a second review for the conditional use permit to have a duplex on an R-2 zoned property. This was reviewed by the plan Commission on August 3rd 2015 and was denied at the time until the applicants could show how the unit would be situated on the lot. When they started placing this on the lot, is when they noticed that the variances requested would need to be granted in order to fit this building on the lot.
Attached below are the minutes from the Plan Commission meeting for a conditional use for a duplex from August 3rd 2015. There were some neighbors in the audience that were opposing to the project.

Case #15-018 Request for a Conditional Use Permit for property located at South Illinois Street Lot 2 of Larry Vandersnick Subdivision.
The City Building Inspector Mills stated that the lot is smaller than the required size to build a duplex but would meet all City setback requirements. It is 1400 square feet to small and there is a garage at the far north end of the property that would have to be considered in the placement of the duplex. Residents; The Webb’s and Mr. Hume were present at the meeting that were questioning the extra runoff of a new structure and that they already have problems with water in that area. This being an L shaped lot makes part of the lot not buildable further reducing the size available. Also the parking will be a problem as those streets have no curb and gutter so when there is a lot of cars to park they end up in resident’s yards. There was a letter received from Windisch’s with concerns about the new street being torn up for water and sewer installation.

Motion by Meyer, second by Wirth to close the Public Hearing at 6:58pm.
Voice Vote. All Ayes. 0 Nays. 1 Absent.
Motion Carried

New Business
Case #15-018 Request for a Conditional Use Permit for property located at South Illinois Street Lot 2 of Larry Vandersnick Subdivision.
Committee member Meyers stated that he felt the plans of the layout are needed to make a decision on this request to make sure that the structure will fit on the property.

Motion by Meyer, second by Garlick to carryover this request over to the meeting on August 31, 2015, contingent upon additional information being provided by the Ries’s.
Voice Vote. All Ayes. 0 Nays. 1 Absent.
Motion Carried

COMPLIANCE WITH THE PLANNING CODE PROVISIONS (Zoning Ordinance):
9-6-2: Exceptions to Height, Yard, Lot, and Area Requirements
The following exemptions may be made to the height, yard, lot, and area requirements:

A. On existing lots less than seventy-five feet (75’) wide the property owner may reduce a side yard to ten percent (10%) of the lot width but not less than three feet (3’).

B. On lots of record, a property owner may reduce his rear yard to not less than twenty percent (20%) of the lot depth.

C. Where on the effective date of this Section (10-26-82) forty percent (40%) or more of a frontage was occupied by two or more lots upon which buildings are situated, then the front yard setback is established in the following manner:
1. Where the building farthest from the street provides a front yard setback not more than ten feet (10') deeper than the building closest to the street, then the front yard setback for the frontage is and remains an average of the then existing front yard.

2. Where this (1.) is not the case and a lot is within one hundred feet (100') of a building on each side, then the front yard setback is a line drawn from the closest front corners of these two adjacent buildings.

3. Where neither (1.) nor (2.) is the case and a lot is within one hundred feet (100') of an existing building on one side only, then the front yard setback is the same as that of the existing building.

D. Notwithstanding the provisions in (3.) above, a front yard setback greater than the minimum as set forth in Section C. of this Chapter for residential zones shall be required where sixty percent (60%) or more of a frontage is occupied by two or more lots upon which buildings are situated. In that event, the front yard setback is and remains an average of the then existing front yards.

Also according to the chart in section 9-6-3 of the Zoning Ordinance, within an R-2 district, there needs to be 6500 square feet of parcel per unit. This requires the lot to be 13,000 square feet and the current lot is only 11,602.46 square feet. **So a variance for 1,397.54 square feet is required to build a duplex on this parcel.**

**PUBLIC/NEIGHBORHOOD INPUT:**
Letters have been sent to the neighbors within 250’ of this property notifying them of the public hearing.

**STAFF ANALYSIS:**
With the Good Samaritan Village being directly behind this parcel, and the parcels within that PUD being smaller, the duplex on a smaller lot will not look out of place. Water runoff has been mentioned as a concern in this area along with on street parking. Though most people that would rent a unit like this usually only have one vehicle, this is not a given.

**PLANNING DEPARTMENT RECOMMENDATION:**
A request has been submitted for a variance to the rear yard setback from 30 feet to 15 feet. Also requested would be a variance to the minimum lot size requirement for R-2 zoning with a duplex from 13,000 square feet to 11,602.46 square feet. The Inspections Department recommends that the Zoning Board look at this very carefully before granting the variances.

**ATTACHMENTS:**
Draft
Photographs
Project Information
Plan Commission

Members:
Ray Wirth
Mike Talbot
Chris Barnhart
Sue Garlick
Larry Meyer

Contact Person
Mike Talbot
PCChair@cityofgeneseo.com
Rick Mills
Building Inspector
309-944-0910

Minutes

Call to order /roll call/Quorum check
Meeting called to order by Plan Commission Chairman Mike Talbot at 6:01 p.m. Members answering roll call: Wirth, Garlick, and Meyer. Barnhart was absent.

Pledge of allegiance

Public Comment- Audience requests are limited to 3 minutes per subject. If additional time would be needed, please contact City Hall to be placed on the Agenda prior to the meeting.

No Public Comments

Consent Agenda

1) Approval of agenda

Motion by Meyer, second by Garlick to approve the consent agenda as written. All Ayes. Motion Carried.
Public Hearing: Motion by Meyer, second by Wirth to open the Public Hearing at 6:04 pm.
Voice Vote. 4 Ayes. 0 Nays. 1 Absent.
Motion Carried
A Public Hearing was held to offer the public a chance to voice concerns or support for a request for a Conditional Use Permit for property located at South Illinois Street Lot 2 of the Larry Vandersnick Subdivision to construct a duplex.

Case #15-018 Request for a Conditional Use Permit for property located at South Illinois Street Lot 2 of Larry Vandersnick Subdivision.
The City Building Inspector Mills stated that the lot is smaller than the required size to build a duplex but would meet all City setback requirements. It is 1400 square feet to small and there is a garage at the far north end of the property that would have to be considered in the placement of the duplex. Residents; The Webb’s and Mr. Hume were present at the meeting that were questioning the extra runoff of a new structure and that they already have problems with water in that area. This being an L shaped lot makes part of the lot not buildable further reducing the size available. Also the parking will be a problem as those streets have no curb and gutter so when there is a lot of cars to park they end up in resident’s yards. There was a letter received from Windisch’s with concerns about the new street being torn up for water and sewer installation.

Motion by Meyer, second by Wirth to close the Public Hearing at 6:58pm.
Voice Vote. All Ayes. 0 Nays. 1 Absent.
Motion Carried

New Business
Case #15-018 Request for a Conditional Use Permit for property located at South Illinois Street Lot 2 of Larry Vandersnick Subdivision.
Committee member Meyers stated that he felt the plans of the layout are needed to make a decision on this request to make sure that the structure will fit on the property.

Motion by Meyer, second by Garlick to carryover this request over to the meeting on August 31, 2015, contingent upon additional information being provided by the Ries’s.
Voice Vote. All Ayes. 0 Nays. 1 Absent.
Motion Carried
Public Hearing #2 motion by Wirth, second by Garlick to open the public Hearing at 7:01 PM
Voice Vote. 4 Ayes. 0 Nays. 1 Absent.
Motion Carried
A Public Hearing was held to give the Public an opportunity to voice their opinion on case # 15-016 and 15-017 a request for a Zoning classification change from B-4 to B-3 to allow a Cell Tower to be erected at the corner lot on East 1st Street and Spring Street on the Northwest side of the corner.

Cases #15-016 and 15-017- The cell tower site that has been requested is not an approved site. New zoning would allow for a more buildable area. There is also a request for a height of 165 feet instead of the customary 150 feet. This height increase would allow for more tenants on one pole versus multiple shorter towers at various sites in the City. This would allow the City to collect rent from the tower company and it would not interfere with any of the City’s repeaters as they would be on a different frequency. The second request is for the Cell Tower Permit.

Motion by Wirth, second by Meyer to close the Public Hearing at 7:28pm. Voice Vote. All Ayes. 0 Nays. 1 Absent.
Motion Carried

New Business
Case #15-016 and 15-017 recommended to City Council for approval.
Motion by Wirth, second by Garlick to recommend to City Council to change the Zoning from B-4 to B-3 to construct a 165 foot cell tower and issue a conditional use permit for this project.
Motion by Meyer, second by Wirth to close the Public Hearing at 6:58pm. Voice Vote. All Ayes. 0 Nays. 1 Absent.
Motion Carried

Board Education and Discussion
There was none.

General Comments

Adjournment
    Motion by Garlick, second by Wirth to adjourn the meeting at 7:30 p.m.
    All Ayes.
Motion Carried.

Respectfully submitted by
Recording Secretary
Loree K. Phlypo
September 11, 2015

RE: Variance for Lot 2 Larry Vandersnick Addition South Illinois Street

Dear Resident:

The purpose of this letter is to inform you that a Public Hearing will be held on Monday, September 28, 2015 at 7:00PM to allow residents within 250 feet of Lot 2 of Larry Vandersnick Addition on South Illinois Street to have an opportunity to provide any written or oral comments on the following requested variance:

1. Request for a rear yard setback from 30’ to 15’, if granted would allow the Ries’ to construct a structure 15’ from the rear property line instead of the allowed 30’.
2. Request for a duplex to be constructed on a lot with a square footage of 11,602.46 sq. ft. instead of the required 13000 sq. ft. of lot.

For more details please visit our website under Building Inspector for the Zoning Code.

If you would like to submit a comment or opinion on this please submit them by 4:00PM on Monday, September 28, 2015 or you are invited to attend the Public Hearing. Enclosed is the Public Hearing announcement that was published in the paper.

Yours truly,

Loree K. Phlypo
City Clerk
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MAP FOR RIES ZONING BOARD VARIANCE REQUEST FOR REAR YARD SETBACKS AND LOT SIZE. SEPTEMBER 28TH 2015 MEETING DATE
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