

Planning & Zoning Board Meeting Minutes  
September 5, 2023

At 7 p.m. on Tuesday, September 5, 2023, in the boardroom of the Village Hall, chairwoman Maria Lewis called to order the meeting of the Planning & Zoning Board to order. Roll call-Members; Cody Krug, Jill Breneman, Richard Crotteau, John Hawkinson, Walt Mahaffey, Amanda Burns and Maria Lewis. Also in attendance were Trustee Bill Mincey, Matt Fritz, village administrator and Kyle Watson, deputy building inspector. Absent; none.

The minutes of the August 21, 2023 meeting were reviewed. Hawkinson moved to approve the minutes as written, second by Crotteau. Roll-call Ayes; Krug, Breneman, Crotteau, Hawkinson, Mahaffey, Burns and Lewis. Nays; none. Motion carried.

There was no public comment as this meeting.

ZONING BOARD OF APPEALS

PUBLIC HEARING

Fence Variance

290 N Irving – Chad White

Linda Sula, deputy clerk, swore in those who would be speaking at the public hearing.

Mr. Fritz explained that Mr. White would like to fence in the corner side yard that is on the north side of his house. This would take a portion of the corner away at the southwest corner of Third St. & Irving. The fencing is the full depth of the house in order to come back to the picket fence that is already there. The material of the fence is white PVC vinyl and will match the current fencing. Fritz stated that Watson is correct, the entirety of the corner side yard going to the north boundary line. Fritz had maintenance look at it and the vision triangle would remain unimpeded, there is enough of the parkway left that if a sidewalk were to be installed in the future there would be no problem.

Mr. White stated the fence sits exactly one foot inside his property line along the west boundary and he will continue the fence from that spot. White measured from where the fence will go to the paved edge of Third St. and it measured at 23' and 10".

Hawkinson questioned the hardship for the location of the fence. White stated that he has a nice large yard and can't utilize it the way wants to for his dogs and he has also seen the other fences that have been approved in the neighborhood for which his fence would be consistent.

Fritz explained the board has been in discussion about how to simplify the variances in a corner side yard.

Breneman moved to accept the variance with a 0' set back and fence within a corner side yard beginning at the front of the house, second by Burns. Roll-call Ayes; Krug, Breneman, Crotteau, Mahaffey, Burns and Lewis. Nays; Hawkinson. Motion carried. The Village board meeting will be on September 13, 2023 to make the final decision.

PRESENTATION

Front yard set-back variance at 155 E. Chestnut – Jeff Shain

Mr. Shain was not at the meeting.

UMS

Mr. Fritz explained that the request is for a deck in the front yard, for which a drawing was supplied. Lewis stated that each request is different, however, due to the large back yard she wanted to know why it could not be constructed there. Watson stated there is currently a permit for a deck on the east side of this home next to his driveway which will be a small tiered step. The board discussed the different locations of where the deck could go versus the front yard. The deck request for the front is to put a deck up to where a potential sidewalk would go. Due to where the front of the home sits, which is about 9' from where the sidewalk line is versus the other homes along the block the board looked over the findings of fact and did not see what the hardship would be to have the deck in the front of the home. The board indicated that more information would need to be presented from Mr. Shain in order to get a better determination of his need for the front deck versus one in the back of the house. The board requested Mr. Watson speak with Mr. Shain and explain the situation with the size of the deck, the 0' set back and see if Shain would consider putting it in the back of the home.

#### PRESENTATION

Big Timber – Shawn Hamilton

Mr. Fritz explained that Mr. Hamilton made a bid in order to put a single family detached residence at the west end of Big Timber. There are two items happening as part of this petition, to include land added to the approved subdivision which would allow two more buildable detached single family homes and their driveways. Hamilton entered into a tentative agreement with the village and his next step in order to close is to bring this to the planning commission for approval where these lots would be added to the subdivision. Also, he will be adding two more driveways onto the cul de sac, which currently code states 15 and 19 are currently present. The additional homes will make it 21. The original plan was the street was going to go through to Broadway, however, this has not happened, so the village wanted to get the cul de sac done to complete this subdivision.

Mr. Hamilton, stated that on 80 E. Big Timber he will be building a single family residence which will be approximately, 2,800 sq. ft. He has also been in contact with the owner west at 465 N. Broadway to purchase some of her property to make the lot that he is purchasing from the village bigger to accommodate his home he is building. The other parcel at 185 E. Big Timber being purchased was allotted as open space that the previous developer did not put in. So, the whole parcel which includes the parcel to the north that the village owns would make 185 E. Big Timber another buildable lot. Hamilton stated he would not be building on this lot. Also, as part of the agreement with the village there was a financial consideration that he is giving the village that he is helping fund a portion of the cul de sac that is being put in and completed. If everything goes well, he is hoping to have the build done by next summer and all remaining lots will now be complete.

Crotteau asked about the 2 single family residents being built on the application. Hamilton explained that it was because there will be his at 80 E. Big Timber and technically once the sale is complete 185 E. Big Timber will be the other buildable lot.

Lewis asked if the only variance needed was for the cul de sac and Fritz stated yes.

Fritz explained that there are plans that show the lot at 185 E. Big Timber from the last developer that show it as open area. So, this will become an amended final plat that will be brought to the planning commission for approval because it is a subdivision. There was a public notice that went out to the entire subdivision letting them know that the park will not be put in as planned years ago and that the 185 E. Big Timber lot could be sold and a detached single family home could be built there.

Hamilton will maintain this lot until it is sold and as part of the agreement a portion of the sale of the lot will be given back to the Village.

Lewis had questions about continuing the sidewalk around the cul de sac. Fritz stated that it will not be curved, it will be cut straight across in front of 80 E. Big Timber. Lewis also wanted to know how this would be presented to the planning commission at the public hearing for approval. Fritz explained that it would be a final approval for the amended plat with a variance indicating the number of additional driveways.

Hamilton stated that he sent out 33 notices to the homeowners in the subdivision and the adjacent neighbors which included a cover letter, along with the sketches of the home he is building.

The public hearing is planned for the next meeting which will be on September 18, 2023.

Hawkinson questioned the street frontage that the cul de sac is to be designed by Coal City. He wanted to know why the village is doing it and not an engineer and why Coal City would be paying for it. Fritz explained that the village surplused three outlets. The village declared the properties as surplus property and took bids and Mr. Hamilton was the only person who bid on the property. Hamilton submitted a negotiated cost with an agreement and is paying for a portion of the cul de sac. The cul de sac was discussed and the amount to put a fully designed one in exceeds the amount of what the outlot was worth. The Village Board entered into an agreement to close the surplus bid, which Fritz stated he would supply a copy to Hawkinson if he wanted one. Hawkinson also stated that the additional driveways be added as a non-comformity to the planning commission.

Lewis asked about the bond for the Big Timber Subdivision. Matt stated that the bond was dismissed. The village did the best they could to get as much value as they could on outlot C. Lewis also stated that the board should not be too specific with a number of driveways on the variance.

Lewis asked how Hawkinson and Burns committee on attachment 15 was going. Fritz stated that they are near done and have a final format for changing the criteria. So, the seven criteria are down to five and a new form to alleviate open ended responses.

Fritz stated that there is a new ad hoc sub-committee with Mahaffey and Breneman to work on the Residential Design Guidelines. The board discussed items in the guidelines that need to be more detailed.

Lewis asked Burns to get the percentage of affordable housing in the village.

Burns moved to adjourn the meeting, second by Mahaffey. All were in favor, not one opposed. Meeting adjourned at 8:06 p.m.



Linda M. Sula, Deputy Clerk