

**CITY OF WASHINGTON, ILLINOIS  
PLANNING AND ZONING COMMISSION MEETING  
WEDNESDAY, OCTOBER 11, 2017  
WASHINGTON DISTRICT LIBRARY  
380 N. WILMOR ROAD – 6:30 P.M.**

Vice Chairman Brian Fischer called the regular meeting of the City of Washington Planning and Zoning Commission to order at 6:30 p.m. in the meeting room at Washington District Library.	Call to Order
Present and answering roll call were Commissioners, Rich Benson, Brian Fischer, Louis Milot, Tom Reeder, and Doug Weston. Mike Burdette and Steve Scott were absent.	Roll Call
Also present was P & D Director Jon Oliphant, B & Z Supervisor Becky Holmes and City Clerk Pat Brown.	
Commissioner Milot moved and Commissioner Weston seconded to approve the minutes of the September 6, 2017 Planning and Zoning Commission meeting as presented. <u>Motion carried unanimously by voice vote.</u>	Appv min 9/6/17 PZC meeting as presented
A public hearing was opened for comment at 6:32 p.m. on the request of Dustin Essig to rezone 104 Esken from C-2 (General Retail) to R-1 (Single- and Two-Family Residential). Publication was made of the public hearing notice, and there were no “interested parties” registered.	Public Hearing: rezoning request, Dustin Essig, 104 Esken
P & D Director Oliphant gave a brief overview of the rezoning request noting the following: the property has been zoned C-2 since shortly after it was annexed in 1970; the petitioner is experiencing financing difficulties with a residential use on a commercial-zoned parcel; the parcel to the north (106 Esken) is also requesting a rezoning this evening; the residential use of the property is a legal non-conforming use and can continue to operate in its existing state so long as the non-conformity is not expanded; if there were to be damage to the structure of at least 50% of its value, the new use would either need to be in conformance with its existing zoning or a variance could be requested for the rebuilding of the former use; the City prepared a letter at the request of the petitioner which did not satisfy the lender as we could not offer a letter of guarantee; the proposed R-1 zoning would make it easier to receive any financing as a traditional single-family residential use; the comprehensive plan designates this property as General Commercial; with its location removed from Route 8 and its small size it complicates its commercial viability; it would likely need to be combined with one or more lots that have direct access to Route 8 to enhance its appeal as a commercial property; all properties on Esken are served by private septic systems; the City’s subdivision code requires that lots with septic systems shall have a minimum lot size of 20,000 s.f., which is slightly larger than this lot; state statute requires that new or renovated septic systems shall not be approved by the IL Department of Public Health if public sewer is available for connection within 300 feet of a residential property; this property is approximately 180 feet from the sanitary manhole and staff has urged the owner to connect to the City’s sewer, potentially at the same time as the 106 Esken property; and because the property is likely more suitable for a residential use due to its size and location, staff offers a slight recommendation for approval of the rezoning of 104 Esken from C-2 to R-1.	
Petitioner comments: Dustin Essig shared that he has had two buyers for the property but the mortgages would not finance due to the zoning. He shared that the County is fine with a new septic so he would want to do a cost benefit analysis as a sewer line to serve one property could be cost prohibitive. He shared that he could use the City sewer connection as a negotiating tool on the sale of the property as well. P & D Director shared his conversation with the County noting that they were initially unaware that the property had been annexed into the City and upon clarification that it had been annexed, they said that state statute would prevail at the time a modification to or new installation of the septic system were being pursued and the property would be compelled to connect to City sewer. Dustin asked that if that is the case can a recommendation be made that if state statue says we have to do it we have to do it. Oliphant shared that the tough thing to juggle is that they are two separate issues and we can’t factor one into the other. He shared that obviously the City’s Subdivision Code would kick in as this property is a little smaller than what the code allows for septic systems, as well as the state statute requirement for hooking onto City sewer due to its proximity, which are both factors to be considered. Greg Esken shared that when he spoke to the property owner of the house that burnt down several years ago they shared that they had just put in a new septic system when the house burnt and they plan to reconnect to that system once they rebuild. Oliphant shared that the same issues they are discussing here will factor in on that property as well. Greg also shared that when he purchased his home he was not aware of the commercial zoning on his property. Oliphant shared the possibility of each of the properties sharing in the cost to extend the sewer is an option that would be up to them to consider.	
Public comments: None.	
At 6:46 p.m. the public hearing was closed.	Close Public Hearing
Commissioner Weston moved and Commissioner Benson seconded to recommend approval of the rezoning request as presented.	Approve rezoning request, 104 Esken
Commissioner comments: Commissioner Weston asked if the property has always been commercially zoned and P & D Director Oliphant replied it has since it’s annexation.	

Approve rezoning request, 104 Esken, Cont.)	<p>Commissioner Benson was curious on why staff was making a recommendation for approval and why the whole street isn't being considered for rezoning. Oliphant shared that from a land use perspective that there is little potential for the smaller properties, due to size and location, of developing as commercial. He shared that staff is bringing forward a slight hesitation in being fully supportive of the rezoning but see its higher use as residential. Commissioner Fischer asked if we are weakening the value of the surrounding commercial properties by rezoning to R-1. Oliphant shared that the City's Comprehensive Plan designates this area on the north side as commercial and while some are easier and will develop as commercial in the future, these lots on Esken are more difficult as there is no dedicated street, properties are smaller and not serviced by City services, so there are some practical difficulties. Oliphant shared that with the 106 Esken property being considered for rezoning it will have at least two properties together with residential zoning. A brief discussion ensued on the area zoning today and what the future could hold for development and the disadvantages that the current residential property owners face in light of today's commercial zoning.</p> <p>There was no additional discussion and on roll call the vote was: <u>Ayes: 5</u> Fischer, Milot, Reeder, Benson, Weston <u>Nays: 0</u> <u>Motion carried.</u></p>
Public Hearing: rezoning request, Gregory Esken, 106 Esken	<p>A public hearing was opened for comment at 6:57 p.m. on the request of Gregory Esken to rezone 106 Esken from C-2 (General Retail) to R-1 (Single- and Two-Family Residential). Publication was made of the public hearing notice, and there were no "interested parties" registered.</p> <p>P &amp; D Director Oliphant gave a brief overview of the rezoning request noting the following: the property has been zoned C-2 since shortly after it was annexed in 1970; the residential use of the property is a legal non-conforming use and can continue to operate in its existing state so long as the non-conformity is not expanded; if there were to be damage to the structure of at least 50% of its value, the new use would either need to be in conformance with its existing zoning or a variance could be requested for the rebuilding of the former use; the proposed R-1 zoning would make it easier to receive any financing as a traditional single-family residential use; the comprehensive plan designates this property as General Commercial; with its location removed from Route 8 and its small size it complicates its commercial viability; it would likely need to be combined with one or more lots that have direct access to Route 8 to enhance its appeal as a commercial property; all properties on Esken are served by private septic systems and unlike the 104 Esken lot this lot does meet the minimum size for a lot that is not serviced by City sewer; and because the property is likely more suitable for a residential use due to its size and location, staff offers a recommendation for approval of the rezoning of 106 Esken from C-2 to R-1.</p> <p>Petitioner comments: Gregory Esken shared that if he would have been aware of the current commercial zoning on the property he would have brought it before the Board for consideration earlier. He shared that he has lived there 27-years and is invested in the property.</p> <p>Public comments: None.</p>
Close Public Hearing	At 7:00 p.m. the public hearing was closed.
Approve rezoning request, 104 Esken	<p>Commissioner Milot moved and Commissioner Reeder seconded to recommend approval of the rezoning request as presented.</p> <p>Commissioner comments: None.</p> <p>There was no additional discussion and on roll call the vote was: <u>Ayes: 5</u> Weston, Fischer, Benson, Reeder, Milot <u>Nays: 0</u> <u>Motion carried.</u></p>
Commissioner Comments	Commissioner Fischer shared that he did not receive his packet in the mail until yesterday, which may have been in part due to Monday being a holiday. City Clerk Brown shared that she will begin emailing the packets on Wednesday's in addition to the mailing.
Staff Comments	P & D Director Oliphant shared that there are a couple of items for next month's meeting.
Adjournment	At 7:03 p.m. Commissioner Benson moved and Commissioner Weston seconded to adjourn. <u>Motion carried unanimously by voice vote.</u>

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Patricia S. Brown, City Clerk