

**CITY OF WASHINGTON, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY, AUGUST 3, 2016
WASHINGTON DISTRICT LIBRARY
380 N. WILMOR ROAD – 6:30 P.M.**

Chairman Mike Burdette 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, Mike Burdette, Brian Fischer, Tom Reeder, Steve Scott, and Doug Weston. Commissioners Rich Benson and Louis Milot were absent.	Roll Call
Also present was B & Z Supervisor Becky Holmes and City Clerk Pat Brown.	
Commissioner Weston moved and Commissioner Fischer seconded to approve the minutes of the July 6, 2016 Planning and Zoning Commission meeting as presented. <u>Motion carried unanimously by voice vote.</u>	Appv min 7/6/16 PZC meeting as presented
A public hearing was opened for comment at 6:31 p.m. on the request of Casey’s General Stores, Inc. to rezone a part of 900 Walnut Street from I-1 (Light Industrial) to C-3 (Service Retail). Publication was made of the public hearing notice, and there were no “interested parties” registered.	Public Hearing: Rezoning, Casey’s General Stores, Inc., part of 900 Walnut St from I-1 to C-3
B & Z Supervisor Holmes gave a brief overview of the rezoning request noting the following: the property is currently owned by RP Lumber; Casey’s would like to purchase a small 126 square foot piece of the southwest corner to use for a future expansion on the site; the rezoning would ensure that there is not a split zoning on the property as the small piece would be attached to one of the two adjacent existing Casey’s properties; the proposed rezoning would be compatible with the City’s Comprehensive Plan which calls for general retail.	
Petitioner comments: None.	
Public comments: None.	
At 6:32 p.m. the public hearing was closed.	Close Public Hearing
Commissioner Scott moved and Commissioner Reeder seconded to approve the rezoning request as presented.	Approve Rezoning request
Commissioner comments: The consensus of the Commission was that the rezoning of the small parcel made sense for its purposes.	
There was no additional discussion and on roll call the vote was: <u>Ayes: 5</u> Weston, Fischer, Burdette, Reeder, Scott <u>Nays: 0</u> <u>Motion carried.</u>	
<u>Case No. 080316-V-1</u> – A public hearing was opened for comment at 6:32 p.m. on the request of Terrence & Linda Kurtz for a rear yard variance at 1325 Prince George Court. Publication was made of the public hearing notice, and there were three “interested parties” registered.	Public Hearing: rear yard variance request, Terrence & Linda Kurtz
B & Z Supervisor Holmes gave a brief overview of the rear yard variance request noting the following: the petitioner is requesting a 17’7” rear yard variance in order to allow for the construction of a single family home which would place the principal structure 7’5” from the rear property line; the rear yard requirement is 25’; the petitioners purchased the lot from the original owners who lost their home in the November 17, 2013 tornado; the lot is located on a cul-de-sac; staff has concluded that the property has two rear yards given the five sided lot configuration, one adjacent the lots that front Westminster and one adjacent the lots that front Kensington; and the rear yard encroachment would be toward the lots that front Westminster.	
Petitioner comments: Mr. Jaik Rustemeyer, Dakota Builders, shared that he is working with Linda and Terrence with the house layout on the lot. He shared that the radius has been difficult to work with given the size of the home and with the courtyard load garage they will need to hug one side or the other of the lot. He shared that they are asking that the lot be looked at as a corner lot where the proposed rear yard abutting the Westminster properties could be looked at as a side yard in order to fit the house within the parameters.	
Public comments: Mrs. Denise Hood, 713 Westminster Drive, shared that their property is directly behind the petitioner’s lot. She shared that they purchased the lot in 2010 as it met what they were looking for which was a quiet residential neighborhood with spacious yards that provided nice spacious living. She shared that prior to the November 2013 tornado their yard was bordered with large two story pine trees which were destroyed and with their yard sloping up towards this lot it will look like the house is on top of them. She shared that she has spoken with their contractor Mr. Scott Lewis who is verifying the topography map but believes that they will also have storm water runoff issues on their property. She also shared concerns that the resale value of their home would be impacted as the perception would give them a shrunken yard feeling as well as potential fence damage that could occur if a fire were to break out. She indicated that because of these concerns they are asking for the variance to be denied and they be made to adhere to 25’ rear yard setback.	

Public Hearing: rear yard variance request, Terrence & Linda Kurtz, Cont.)	<p>Mrs. Denise Hood, representing her neighbors to the west, Mr. & Mrs. Timothy McGreevy residing at 709 Westminster Drive, read and submitted a statement for the record that shares their concerns and objection to the variance request. The McGreevy’s concerns that have not previously been noted are that City variance requests are historically few and minor in nature and much less than the over 50% variance that is being requested and they are in disagreement that the hardship is not self-imposed as the lot does not accommodate the size and layout of the house.</p> <p>It is noted here that the McGreevy’s also presented cross-examination questions directed at the Planning & Zoning Commission within the statement. The Appearance Form for Interested Party Registration for Cross-Examination at Public Hearings states “an interested party may also directly question (cross-examine) the <i>petitioner or other witnesses</i> if an appearance form is properly filed prior to the hearing.” These questions are reflected in their submitted statement for the record as they were not directed at the petitioner or other witnesses.</p> <p>Mrs. Lynn Sheets, 717 Westminster Drive, shared they purchased their home in 2008 and the back yard was one of the selling points of property and approval of this variance would not be good for the neighborhood. Mr. Kevin Sheets asked for clarification on the measurement and if it is being measured perpendicular, as it should be, the basement will be dug out at 6’ from the property line. He also shared that the house is not a feasible layout for the lot.</p> <p>Mr. Rustemeyer shared that the they went over the calculations for storm water drainage flow and based on the Tazewell County Geographic Information System (GIS) map elevation numbers the flow will actually be going away from the Westminster properties towards Coventry. He noted that the perpendicular lines of the five-sided lot are why they are here asking for the variance as the lot shape presents confusion on which point they pick to measure from for setbacks. He shared that they are not trying to upset anyone and with the questionable lot shape and the house design they want to build, they are trying to keep as close within the terms of subdivision and are meeting front and side setbacks. He shared that the original house on the lot was tucked to one side of the lot as well in order to accommodate a side load garage and meet the tight radius to get an approach and drive coming into the garage. He also shared that the original house may not have been as big as what they are proposing but it shared the same drive/approach challenges.</p>
Close Public Hearing	At 6:59 p.m. the public hearing was closed.
Approve Case No. 080316-V-1, rear yard variance request	<p>Commissioner Fischer moved and Commissioner Scott seconded to approve the variance request as presented.</p> <p>Commissioner comments: The following comments/concerns were raised: rotating the house on the lot could meet setbacks but Mr. Rustemeyer shared they could rotate it slightly to get to 10’ but if they rotated it more they would lose the ability to place a future pool to the east side of the house; there would be a significant negative impact to the neighboring properties with the proposed layout of the house as it reduces the rear yard perception on the lot along with the potential storm water drainage issues that could occur; it appears that the driveway configuration could work with a different layout; and there appear to be no compelling reasons presented to grant the variance.</p>
Variance denied	<p>There was no additional discussion and on roll call the vote was:</p> <p><u>Ayes: 0</u></p> <p><u>Nays: 5</u> Burdette, Reeder, Weston, Scott, Fischer</p> <p><u>Motion did not carry.</u></p>
Commissioner Comments	None.
Staff Comments	B & Z Supervisor Holmes shared that there will be a meeting next month on a couple of variances.
Adjournment	At 7:09 p.m. Commissioner Scott moved and Commissioner Weston seconded to adjourn. <u>Motion carried unanimously by voice vote.</u>

Patricia S. Brown, City Clerk