

CITY OF PLANO
MINUTES OF PLAN COMMISSION/ZBA
February 1, 2016
7:00 PM

The regular meeting of the Plan Commission/Zoning Board of Appeals was called to order on Monday, February 1, 2016 at 7:00 PM by Chairman Dave Teckenbrock at City Hall.

1. Roll Call:

Members in Attendance:

Dave Teckenbrock, Chairman
Ed Carter
Kurt Dreisilker
Kim Droysen
Cliff Oleson
Eric Oleson

Members Absent:

2. Approve September 8, 2015 Minutes

A motion was made by Member Cliff Oleson, seconded by Member Carter to adopt the minutes of the meeting of September 8, 2015 as printed.

Roll Call:

Voting "Aye": Teckenbrock, C. Oleson, Carter, E. Oleson

Voting "Nay":

Absent:

Abstain: Dreisilker, Droysen

Motion Carried

3. Variation – 5-3-5.A.2.a – structure height – 317 E. Dearborn

A motion was made by Member Cliff Oleson, seconded by Member Eric Oleson to open a public hearing. A unanimous "Aye" voice was heard.

The petitioner, Marilena Garrison, of 317 E. Dearborn was present and agreed to give an honest testimony. Ms. Garrison stated that the reason for the requested variation is because they would like to construct the garage as it is without modifying the original beams, to bring it back to its original state. She stated that having the garage built will help to make the neighborhood look nicer, as their yard would be cleaned up and their cars would be kept inside the garage. Ms. Garrison passed around an unofficial drawing of what the building is intended to look like.

Member Dreisilker observed that the proposed garage will fit 3 cars and asked the petitioner if they would still be able to fit 3 cars if the ordinance was followed. Ms. Garrison said yes, she believes they would still be able to fit 3 cars if the ordinance was followed.

Member Droysen asked the petitioner if she had spoken with any of her neighbors about the garage and if anyone had expressed any issues with the height. Ms. Garrison stated that she did not speak with her neighbors, but did send out the required letters.

Tom Karpus said that the petitioners do not want to cut the building short as it is heavy timber construction with old mortise and tenon joints. Mr. Karpus explained how the height is normally measured to the ridge, and the height for the proposed building would exceed 27' measured to the ridge.

Member Droysen stated that she understands that the petitioner does not want to change the structure, but asked if there was any other reason for the requested variance. Ms. Garrison stated that it would be more work to modify the structure to stay within the ordinance. Member Droysen asked the petitioner if they planned on having some sort of shop in the backyard/garage. Ms. Garrison stated that they would utilize it for their own property, but not commercially.

Member Cliff Oleson asked the petitioner if there is a second level. Ms. Garrison stated that it is a two story building, and the second level would be used for storage.

A motion was made by Member Cliff Oleson, seconded by Member Carter to close the public hearing.

Roll Call:

Voting "Aye": Teckenbrock, C. Oleson, Carter, E. Oleson, Droysen, Dreisilker

Voting "Nay":

Absent:

Abstain:

Motion Carried

Chairman Teckenbrock polled the Members on the following:

Standards for Variations:

1. The zoning board of appeals shall not recommend to the city council variation of this title, unless it shall make findings based upon the evidence presented to it in each specific case that the standards for hardships set forth in the Illinois municipal code are complied with and the following:

a. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.

The members all agreed that there would not be a hardship if the strict letter of the regulations were carried out.

Unanimous No

b. The conditions upon which the petition for a variation is based are unique to the property for which the variation is sought and are not applicable, generally, to other property within the same zoning classification.

Member Droysen stated that a hardship does not apply to this. She stated that if there were a large slope on the property that might make it unique, but in this case she voted no, that it is not unique.

Member Carter voted yes, and stated that he believes this is unique.

Members Teckenbrock, Eric Oleson, Dreisilker and Cliff Oleson agreed that it is not unique to the property in question and voted no.

Motion Denied 5 to 1

c. The alleged difficulty or hardship is caused by this title and has not been created by any person presently having an interest in the property.

Member Carter voted no, stating that the hardship was created by the property owner.

Member Dreisilker stated that the petitioners knew the barn dimensions prior to the purchase, so he voted that no, the hardship was not caused by this title.

Members Droysen, Teckenbrock, Cliff Oleson and Eric Oleson agreed with Member Dreisilker, and voted no as well.

Unanimous No

d. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located.

Chairman Teckenbrock stated that the granting of the variation will not be detrimental to the public welfare or injurious to other properties in the neighborhood. The Members agreed that it will not.

Unanimous Yes

e. The proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase the congestion in the public streets, or increase the danger to the public safety, or substantially diminish or impair property values within the neighborhood.

Member Droysen stated that if the building resembles the drawings provided by the petitioner, that she does not believe it will, but her only concern would be more shadow created due to the height. Member Droysen voted yes.

Member Dreisilker also voted yes, stating that he does not see it having too much of an impact.

Members Carter, Eric Oleson, Cliff Oleson, and Chairman Teckenbrock agreed that the proposed variation will not impair adequate supply of light or air to adjacent properties, nor increase danger or diminish values of other properties in the neighborhood.

Unanimous Yes

2. The zoning board of appeals may recommend such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this subsection, to reduce or minimize the effect of such variation upon other property in the neighborhood and to better carry out the general intent of this title.

A motion was made by Member Cliff Oleson, seconded by Member Carter to recommend to the City Council approval of the petitioner's request for a variation from the Zoning Ordinance to allow an accessory structure with an overall structure height exceeding 27' measured to the ridge.

Roll Call:

Voting "Aye": Teckenbrock

Voting "Nay": C. Oleson, Carter, Dreisilker, Droysen

Absent:

Abstain:

Motion Denied

There being no other business to come before the Commission, a motion was made by Member Dreisilker, seconded by Member Carter to adjourn the meeting. A unanimous "Aye" voice was heard. The meeting adjourned at 7:50 p.m.

Kiara Beckman, Recording Secretary