



City of Galena, Illinois

AGENDA

ZONING BOARD OF APPEALS

**WEDNESDAY, JUNE 12, 2019
6:30 P.M. – CITY HALL 101 GREEN STREET**

ITEM	DESCRIPTION
19Z-2001	Call to Order by Presiding Officer
19Z-2002	Roll Call
19Z-2003	Establishment of Quorum

APPROVAL OF MINUTES

ITEM	DESCRIPTION	PAGE
19Z-2004	Approval of the Minutes of the Regular Meeting of May 8, 2019.	3-5

UNFINISHED BUSINESS

None.

NEW BUSINESS

ITEM	DESCRIPTION	PAGE
19S-06	RAL Realty Management – Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District at 105 North Main Street.	6-10
19S-07	RAL Realty Management – Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District at 219 South Main Street.	11-15

OTHER BUSINESS

ITEM	DESCRIPTION	PAGE
19Z-2005	Public Comments Not to exceed 15 minutes as an agenda item Not more than 3 minutes per speaker	
19Z-2006	Adjournment	

CALENDAR INFORMATION

BOARD/COMMITTEE	DATE	TIME	PLACE
Zoning Board of Appeals	Wednesday, July 10, 2019	6:30 P.M.	City Hall, 101 Green Street

Posted: June 6, 2019 at 10:00 a.m. Posted By: Matt Oldenburg

**MINUTES
ZONING BOARD OF APPEALS
MAY 8, 2019**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, May 8, 2019 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Present
Bochniak	Present
Calvert	Present
Cook	Present
Jansen	Present
Nybo	Present
Rosenthal	Present

A quorum was declared.

Zoning Administrator Matt Oldenburg, City Attorney Joe Nack and Zoning Secretary Deb Price were present.

APPROVAL OF MINUTES

MOTION: Cook moved, seconded by Jansen to approve the April 10, 2019 minutes.

Motion carried.

UNFINISHED BUSINESS

Cal. No. 19S-05, Applicants: Michael & Kathleen Hart, 4532 N Flansburg, Lena, IL 61048 and Owner: Mary Jane Vincent Family Trust, 122 North Main Street, Galena, IL 61036. Location: Parcel: 22-100-092-00, Lot 51 & N 5 ft. of Lot 50, West Side, Lots Between Main & Bench Street, Galena, Jo Daviess County, Illinois. Common Address is 122 & 124 North Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

MOTION: Jansen moved, seconded by Baranski to approve the Finding of Fact for Cal. No. 19S-05.

As Roll Call was:

Bochniak	Yes
Calvert	Yes
Cook	Yes
Jansen	Yes
Nybo	Abstain
Baranski	Yes
Rosenthal	Yes

Motion carried.

NEW BUSINESS

19HCO-03, Arrow Energy Solutions – Request for Highway 20 Development Permit to allow a 2,200 SF PV Roof Array at 11084 US Hwy 20 W (New ARC Building).

MOTION: Baranski moved, seconded by Bochniak to approve Cal. No. 19HCO-03 as written.

Discussion: Baranski said he was very pleased that ARC was installing solar. It really is a good thing.

Jansen agreed.

Baranski said the only reason the zoning board is seeing this is because the array is slightly over 2000 square feet which Oldenburg could have approved. It's not a historic building and it is not in the historic district.

Baranski reviewed the approval criteria:

Approval Criteria & Decision:

Highway 20 Development Permit - The application shall demonstrate that the proposed development will comply with the following:

- (1) All applicable site plan review criteria in § [154.914](#);
- (2) The overall context of the corridor and the goals for new development as described in Chapter [III](#) of the Design Manual;
- (3) The corridor development concepts described in Chapter [IV](#) of the Design Manual;
- (4) The proposed character of the applicable design districts as described in Chapter [V](#) of the Design Manual;
- (5) The proposed pattern of development for the Highway 20 Corridor as described in Chapter [VI](#) of the Design Manual;
- (6) The standards for building orientation, design and materials as described in Chapter [VII](#) of the Design Manual; and
- (7) The standards for site features and elements as described in Chapter [VII](#) of the Design Manual.

The Zoning Board of Appeals can approve, conditionally approve, or deny all applications for a Highway 20 development permit.

The application meets all the approval criteria.

As Roll Call was:

Calvert	Yes
Cook	Yes
Jansen	Yes
Nybo	Yes
Baranski	Yes
Bochniak	Yes
Rosenthal	Yes

Motion carried.

OTHER BUSINESS

None

PUBLIC COMMENTS

None

MOTION: Bochniak moved, seconded by Cook to adjourn the meeting at 6:40 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: June 6, 2019

RE: Cal. No. 19S-06, Applicant and Owner: RAL Realty Management, 105 North Main Street, Galena, IL 61036. Location: Parcel: 22-100-150-00, 19' 3" of Lot 26, East Side of Main Street, Galena, Jo Daviess County, Illinois. Common Address is 105 North Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

Summary:

The applicant is requesting a Special Use Permit for two vacation rental units in the Downtown Commercial District. This property is located in the 100 block of North Main Street between Main & Commerce Streets at the intersection of Hill Street.

The first floor has a merchantile occupancy, the second and third floors have are comprised of two apartments. The owners request the use of Accommodations, Vacation Rental in the two apartments.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing, and no further development is needed.

Number of Guests: Maximum occupancy load is the following: 2-Bedroom Unit – 9 guests; Studio Unit – 3 guests. This is determined by the International Fire Code, International Building Code and NFPA on the basis of minimum 200 square feet per person gross (IFC Table 1004.1.2), with an additional requirement for two means of fire-protected egress for each sleeping area (NFPA 24.2.2.1.1).

Lot Capacity: The lot size is 2,300 square feet, or 0.052 acres. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: There is no off-street parking requirement in the Downtown Commercial District.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include apartments, commercial and downtown tourist attractions.

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A

special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. *The proposed plan meets the site plan review standards.*

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; *This proposed use meets the district standards.*

(3) *Specific standards.* The land use regulations established in § 154.406; *The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).*

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. *Complimentary uses are available to the project.*

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

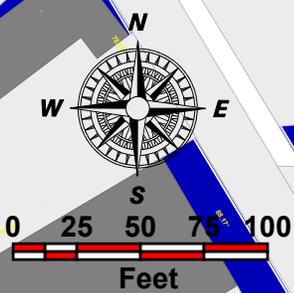
(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. *The proposed use will protect the privacy of adjacent properties.*

(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. *There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.*

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances.*

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.





Vacation Rental Units

2 Bedroom Unit
2 Bedroom, 1 Bath
1,926 sq ft in Downtown Commercial
9 guests allowed

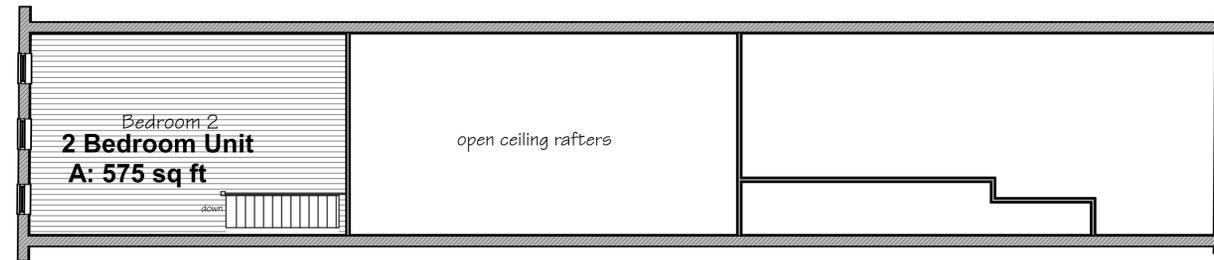
Studio Unit
1 bath
722 sq ft in Downtown Commercial
3 guests allowed
with no Parking Requirement.

Building Classification
Zoning DC Downtown Commercial, Special Use for 3 Vacation Rentals
Construction Type IIIA, Historic Building, 3 stories, 5,200 sq. ft. gross
Occupancy First Floor Mercantile M
Second Floor R1, Vacation Rental
Project type: Change of occupancy on 2nd floor from R2 to R1
No Alterations

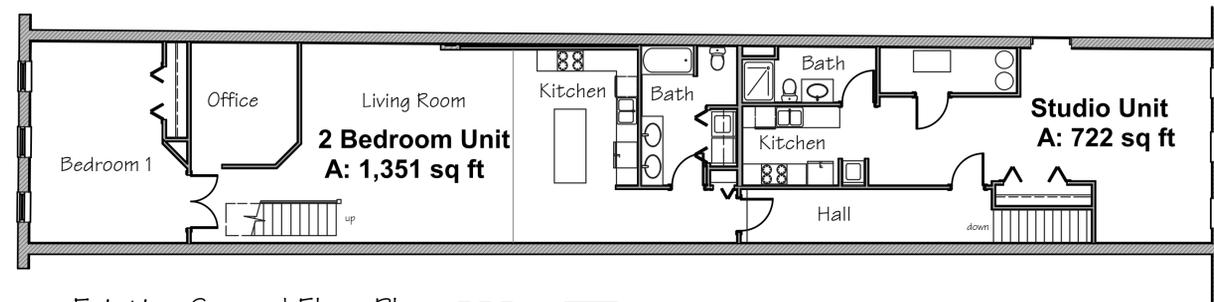
General Notes
1. Existing conditions for bedrooms to be grandfathered.
Electrical
1. Verify existing Smoke Detectors and provide new as needed throughout all areas, within each new bedroom, with in 15' of each bedroom door, & carbon monoxide detector within 10' of bedroom. Hardwire all new detectors with battery back-up as needed.



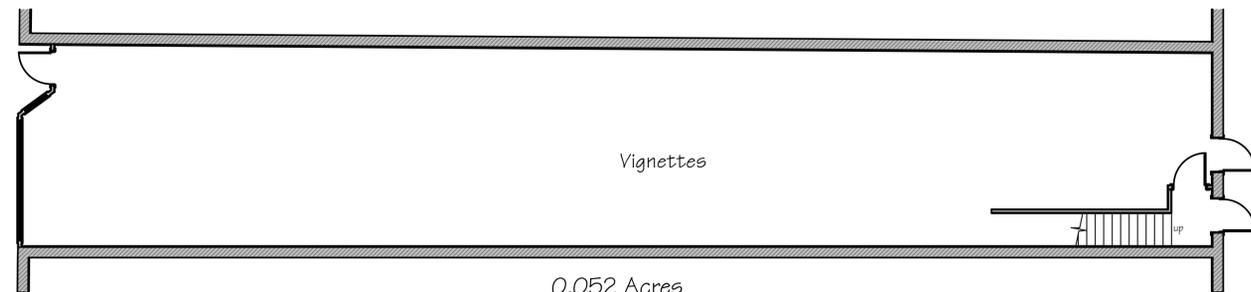
Location Map



Existing Third Floor Plan
1/8" = 1'-0"



Existing Second Floor Plan
1/8" = 1'-0"



Existing Site/First Floor Plan
1/8" = 1'-0"

0.052 Acres
2,300 s.f.



Main Street
Commerce Street

Certification Statement:
I, the undersigned, certify that the drawings herein were prepared by me & to the best of my knowledge conform to Local, State, & National Codes.
Licensed Architect: Adam C. Johnson
Illinois license number: 012002020
expiration date: 01/30/2020

6/5/19
Revisions:

MEMO

To: The Zoning Board of Appeals

From: Matt Oldenburg, Zoning Administrator

Date: June 6, 2019

RE: Cal. No. 19S-07, Applicant and Owner: Raechelle & Ikhlas Ahmed, 219 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-043-00, 23' of Lot 31, Lots between Main & Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 219 South Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

Summary:

The applicant is requesting a Special Use Permit for two vacation rental units in the Downtown Commercial District. This property is located in the 200 block of South Main Street between Main & Bench Streets.

The first floor has a merchantile occupancy, the second floor has a vacation rental occupancy, and the third and fourth floors each have an apartment. The owners request the use of Accommodations, Vacation Rental in the third and fourth floor apartments.

A site plan review of the proposed request has been conducted per the criteria listed in §154.914. All exterior development is existing, and no further development is needed.

Number of Guests: Maximum occupancy load is the following: 3rd floor unit – 7 guests; 4th floor unit – 4 guests. This is determined by the International Fire Code, International Building Code and NFPA on the basis of minimum 200 square feet per person gross (IFC Table 1004.1.2), with an additional requirement for two means of fire-protected egress for each sleeping area (NFPA 24.2.2.1.1).

Lot Capacity: The lot size is 1,930 square feet, or 0.044 acres. The lot can easily absorb the impact of this land use with minimal impact on surrounding properties.

Availability and impact of parking: There is no off-street parking requirement in the Downtown Commercial District.

Emergency measures: Staff will ensure that emergency lighting, exits, posted floor plans and emergency telephone are in place before license is issued.

Staff recommends approval of this request. Land uses surrounding the property include apartments, commercial and downtown tourist attractions.

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A

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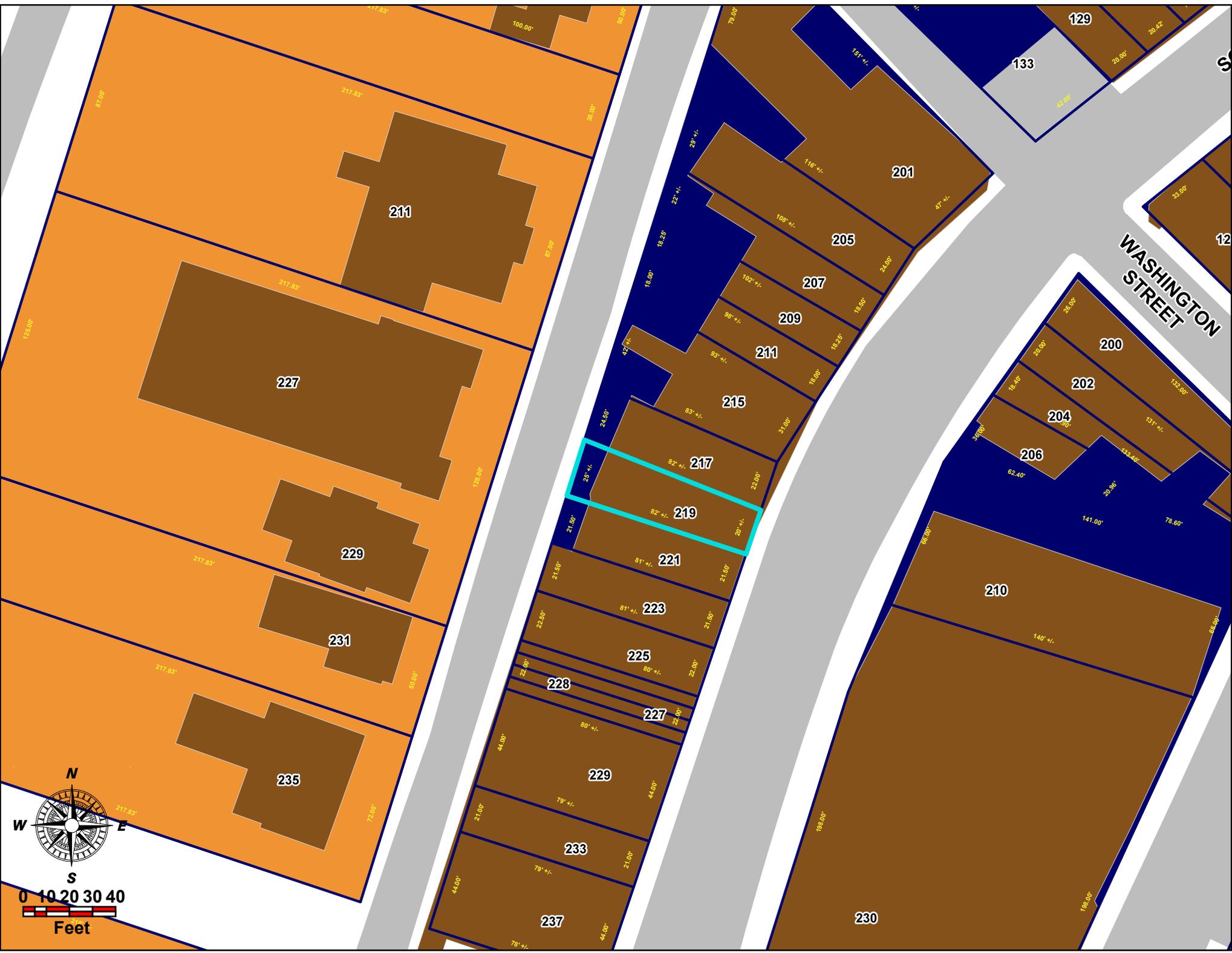
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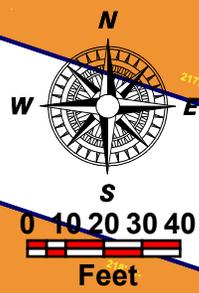
(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances.*

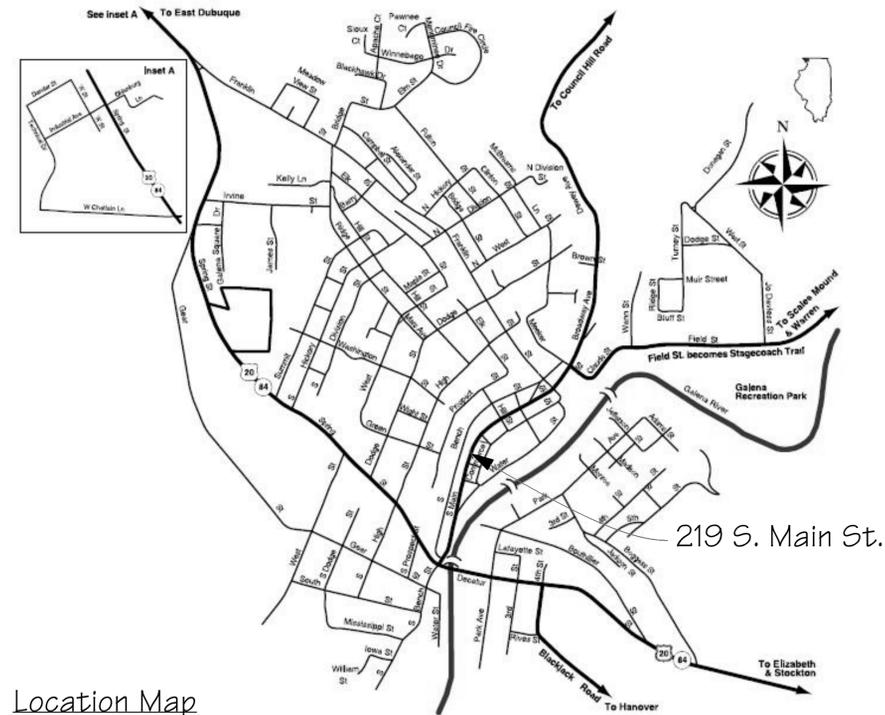
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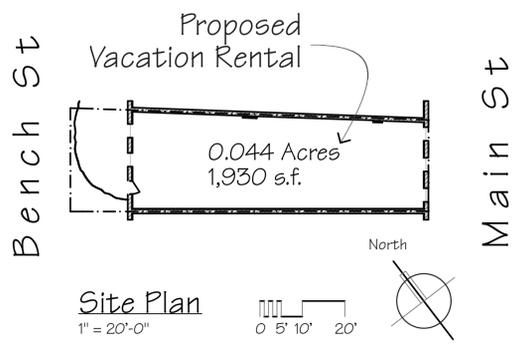


WASHINGTON STREET

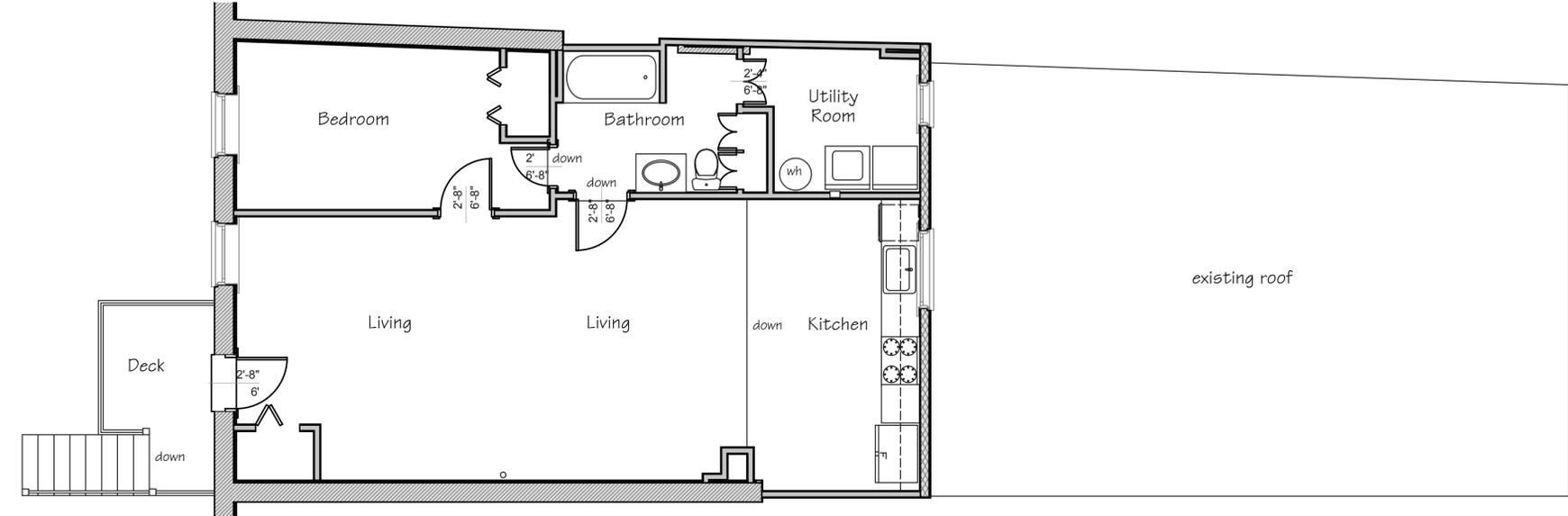




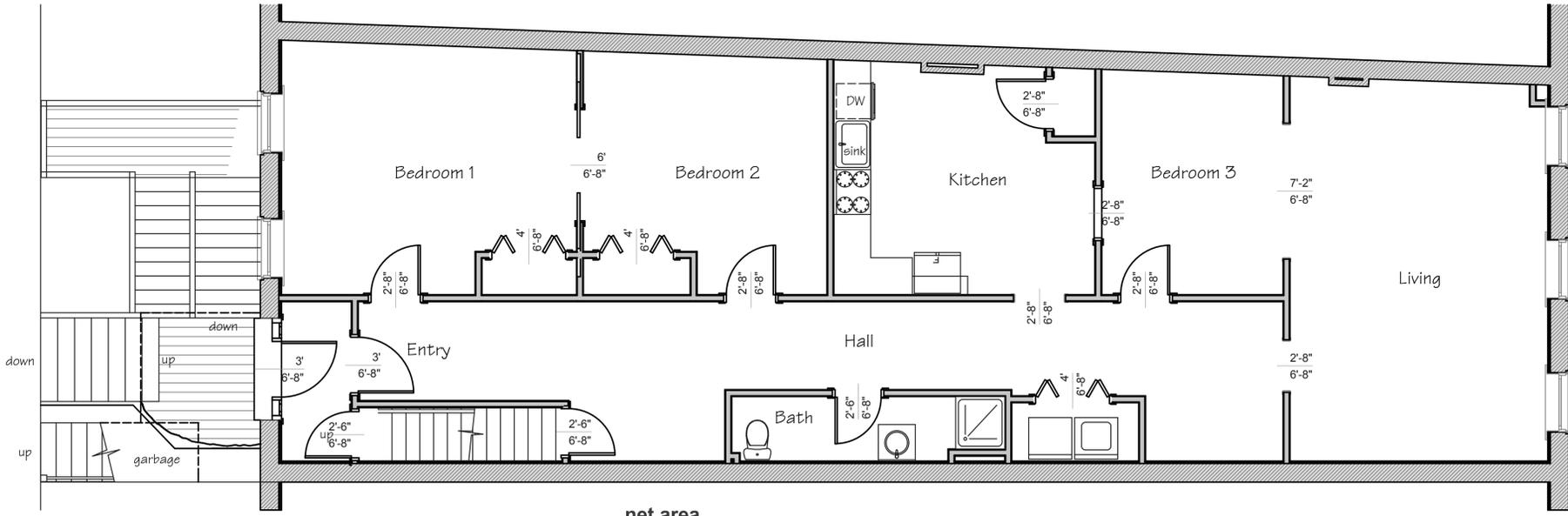
Location Map



Site Plan



Existing 4th Floor Plan net area A: 817 sq ft
1/4" = 1'-0"



Existing 3rd Floor Plan net area A: 1,476 sq ft
1/4" = 1'-0"

Vacation Rental Units

2nd Floor: Existing Vacation Rental
2 Bedroom, 1 Bath
1,476 sq ft in Downtown Commercial
7 guests allowed

3rd Floor: Proposed Vacation Rental
3 Bedroom, 1 bath
1,476 sq ft in Downtown Commercial
7 guests allowed

4th Floor: Proposed Vacation Rental
1 Bedroom, 1 bath
817 sq ft in Downtown Commercial
4 guests allowed

with no Parking Requirement

Building Classification
Zoning DC Downtown Commercial, Special Use for 3 Vacation Rentals
Construction Type IIIA, Historic Building, 4 stories, 4,777 sq. ft. gross
Occupancy First Floor Mercantile M
Second, Third & Fourth Floor R1, Vacation Rental
Project type: Change of occupancy on 3rd & 4th floors from R2 to R1
No Alterations

General Notes

- Existing conditions for bedrooms to be grandfathered.
- Electrical
- Verify existing Smoke Detectors and provide new as needed throughout all areas, within each new bedroom, with in 15' of each bedroom door, & carbon monoxide detector within 10' of bedroom. Hardwire all new detectors with battery back-up as needed.

Main Street

Main Street

Vacation Rental Application Drawings for
3rd & 4th Floor Apartments
219 South Main Street, Galena, Illinois 61036

5/31/19 Revisions:

Sheet A1 of 1

Certification Statement:
I, the undersigned, being a duly licensed architect under the laws of the State of Illinois, do hereby certify that these drawings were prepared by me or under my direct supervision and that I am a duly licensed architect under the laws of the State of Illinois. My license number is 012002020.
Adam C. Johnson
Illinois License Number: 012002020
Adam C. Johnson
211 Fourth Street, Galena, Illinois 61036-2400
815/281-1577
© adam@ehabarchitect.net

