

July 8, 2020 Galena Zoning Board of Appeals Meeting

Notice of Meeting by Teleconference

Due to the essential nature of public meetings in conducting official City business and in line with the prohibition of gatherings, the upcoming Wednesday, July 8, 2020 Galena Zoning Board of Appeals meeting will take place via teleconference utilizing Zoom Video Communications. The meeting will be conducted at Zoom meeting

<https://us02web.zoom.us/j/82158418843?pwd=RmtjUjNtSXkwSEQzNFZlMkd0RHl5UT09>

(ID: 821 5841 8843; Password 089311), with the following opportunities to participate, and reminders:

- **MEETING START TIME** – ZBA meeting will start at 6:30 p.m.
 - **PUBLIC COMMENT** – Public Comment will be conducted as usual near the end of the meeting. To ensure the public will be able to participate the city is providing four ways in which the public can submit their comments.
 - **PUBLIC HEARING** – The Public Hearing will be conducted at the beginning of the agenda item. To ensure the public will be able to participate the city is providing four ways in which the public can participate in the public hearing.
1. **TELECONFERENCED** — Public is invited to participate via Zoom Video Communications, meeting <https://us02web.zoom.us/j/82158418843?pwd=RmtjUjNtSXkwSEQzNFZlMkd0RHl5UT09>(ID: 821 5841 8843; Password 089311). When the presiding officer calls for public comments during the meeting, an attendee wishing to speak by video and/or audio link will be asked to “raise hand”.
 - A. If using a PC or Mac:
 1. During a meeting, click on the icon labeled "Participants" at the bottom center of your PC or Mac screen.
 2. At the bottom of the window on the right side of the screen, click the button labeled "Raise Hand." Your digital hand is now raised. The meeting presiding officer will recognize you to speak for not more than three minutes.
 3. After speaking, lower you hand by clicking the same button, now labeled "Lower Hand."
 - B. If using a mobile device:
 1. Tap "Raise Hand" at the bottom left corner of the screen. The hand icon will turn blue and the text below it will switch to say "Lower Hand" while your hand is raised.
 2. The meeting presiding officer will recognize you to speak for not more than three minutes.
 3. After speaking, lower you hand by clicking the same button, now labeled "Lower Hand."

2. E-MAILED – Public participation can be submitted via email to mjoldenburg@cityofgalena.org with the subject "Public Comment (or Public Hearing) – July 8, 2020". The Zoning Secretary will read emails received out loud into the public record.
3. MAILED – Public participation can be mailed to the Galena Zoning Board of Appeals, 101 Green Street, Galena, IL 61036. Please include "ZBA Public Comment or Public Hearing" on the outside of the envelope. Please know that postage delivery time could cause the mailing to arrive after the meeting time.
4. TELEPHONE – Public participation can be by telephone by dialing the following:

Meeting ID: 821 5841 8843 Password: 089311

One tap mobile
+13126266799,,82158418843#,,,,0#,,089311# US (Chicago)

Dial by your location +1 312 626 6799 US (Chicago)
Find your local number: <https://us02web.zoom.us/j/kews7rUgn9>

- **SOCIAL DISTANCING** – Public meetings will be conducted via teleconference/virtually utilizing Zoom Video Communications to insure recommended social distancing. Join the meeting at <https://us02web.zoom.us/j/82158418843?pwd=RmtjUjNtSXkwSEQzNFZlMkd0RHl5UT09> (ID: 821 5841 8843; Password 089311).
- **AGENDA** — The meeting agenda follows this page and is posted at www.cityofgalena.org and on the exterior of City Hall, 101 Green Street, Galena, Illinois.
- **NOTICE** – Members of the public participating in the meeting via Zoom will be muted unless recognized by the presiding officer to speak. Participants joining the meeting via Zoom agree that video and/or audio from their computer or device may be broadcast to other meeting participants and may be recorded. By joining the meeting, participants also agree that their video feed to the meeting may be disabled by the presiding officer and their audio feed may be muted. Members of the public participating via Zoom are encouraged to test their system prior to the meeting start time and become familiar with any changes to the Zoom operating environment that may have been made by Zoom.
- **QUESTIONS** — Questions about the teleconference meeting may be directed to Zoning Administrator, Matt Oldenburg at mjoldenburg@cityofgalena.org or 815-777-1050.



City of Galena, Illinois

AGENDA

ZONING BOARD OF APPEALS

WEDNESDAY, JULY 8, 2020
6:30 P.M. – CITY HALL 101 GREEN STREET

ZOOM TELECONFERENCE MEETING (ID: 821 5841 8843; Password 089311)
<https://us02web.zoom.us/j/82158418843?pwd=RmtjUjNtSXkwSEQzNFZlMkd0RHl5UT09>

ITEM	DESCRIPTION
20Z-2001	Call to Order by Presiding Officer
20Z-2002	Roll Call
20Z-2003	Establishment of Quorum

APPROVAL OF MINUTES

ITEM	DESCRIPTION	PAGE
20Z-2004	Approval of the Minutes of the Regular Meeting of June 10, 2020.	3 - 4

UNFINISHED BUSINESS

ITEM	DESCRIPTION	PAGE
	None	

NEW BUSINESS

ITEM	DESCRIPTION	PAGE
20S-05	Adam Johnson – Request for a Special Use Permit for Guest Accommodations, Vacation Rental land use in the Downtown Commercial District at 523 S. Main Street. This item includes a Public Hearing.	5-9

OTHER BUSINESS

ITEM	DESCRIPTION	PAGE
20Z-2005	Public Comments Not to exceed 15 minutes as an agenda item Not more than 3 minutes per speaker	
20Z-2006	Adjournment	

CALENDAR INFORMATION

BOARD/COMMITTEE	DATE	TIME	PLACE
Zoning Board of Appeals	Wednesday, August 12, 2020	6:30 P.M.	Zoom Teleconference Meeting: Meeting ID information to be announced.

Posted: July 2, 2020 at 4:00 p.m. Posted By: Matt Oldenburg

**MINUTES
ZONING BOARD OF APPEALS
JUNE 10, 2020**

ZOOM TELECONFERENCE MEETING (ID: 819 6724 4391)

<https://us02web.zoom.us/j/81967244391?pwd=YisvZUMyczJQMkYvZVRyZVRCU2lkZGVWdz09>

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, June 10, 2020 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	Absent
Jansen	Present
Nybo	Present
Rosenthal	Present

A quorum was declared.

Zoning Administrator Matt Oldenburg, City Attorney Joe Nack were present.

APPROVAL OF MINUTES

MOTION: Bochniak moved, seconded by Jansen to approve the May 13, 2020 minutes.

Motion carried.

UNFINISHED BUSINESS

Cal. No. 20A-02, 20S-04, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036; and Owner: JHTD, LLC, 3250 Kennedy Circle, Suite 7, Dubuque, IA 52002. Parcel: 22-200-064-30, Part of NW ¼ of Section 13, T28N, R1W of the Fourth Principle Meridian, Galena, Jo Daviess County, Illinois. Common address: 1249 North Franklin Street, Galena, IL 61036. Request for Special Use Permit to allow Multiple Family Residential land use. Request for Non-administrative Highway 20 Corridor Permit to construct a new principal structure and site improvements in a General Commercial district.

MOTION: Baranski moved, seconded by Jansen to ratify the Finding of Fact for Cal. No. 20S-04 as written.

As Roll Call was:

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

Motion carried.

NEW BUSINESS

None

OTHER BUSINESS

None

PUBLIC COMMENTS

None

MOTION: Bochniak moved, seconded by Baranski 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: July 2, 2020

RE: Cal. No. 20S-05, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036 and Owner: Christine White, 9396 West Powder House Hill Road, Galena, IL 61036. Location: Parcel: 22-100-013-00, Lot 10 and Part of W 97' of Lot 11, Lots between Main & Bench Streets of the Original City of Galena, Galena, Jo Daviess County, Illinois. Common Address is 523 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 a vacation rental unit in the Downtown Commercial District. This property is a single-family dwelling, located in the 500 block of South Main Street immediately to the South of the flood gates.

The dwelling is approximately 1,905 square feet, with 1,270 total square feet of living space on the first and second floors. There are two off-street parking spaces located above the house on Bench Street that connect down the hill by an outdoor staircase. The lot size is 0.116 acres, or 5,044 square feet in area.

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 six (6) guests total. 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 5,044 square feet, or 0.116 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, however, there are two off-street parking spaces provided.

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 residential, 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:

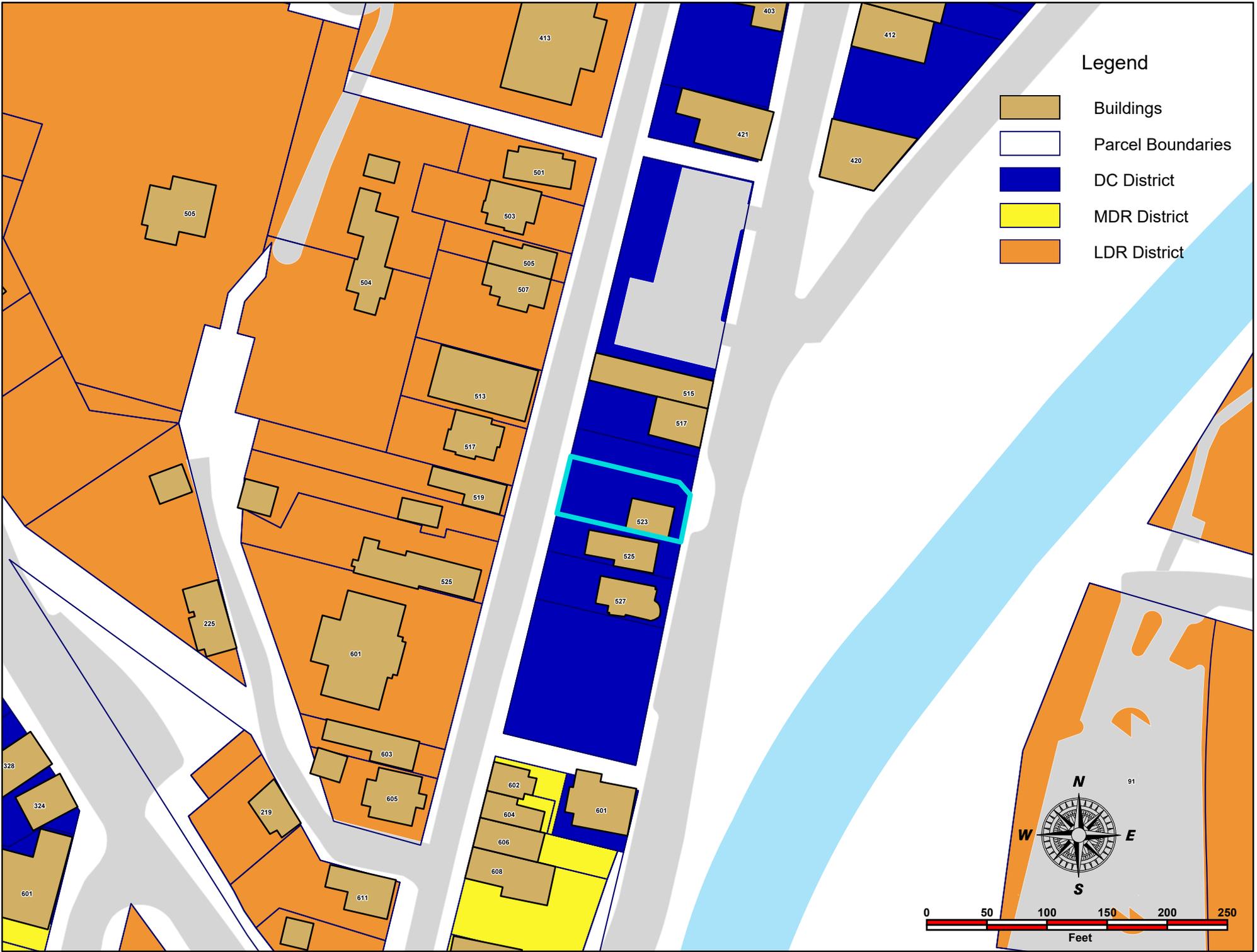
(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and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

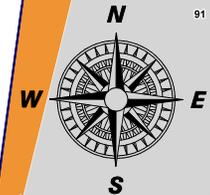
The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration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



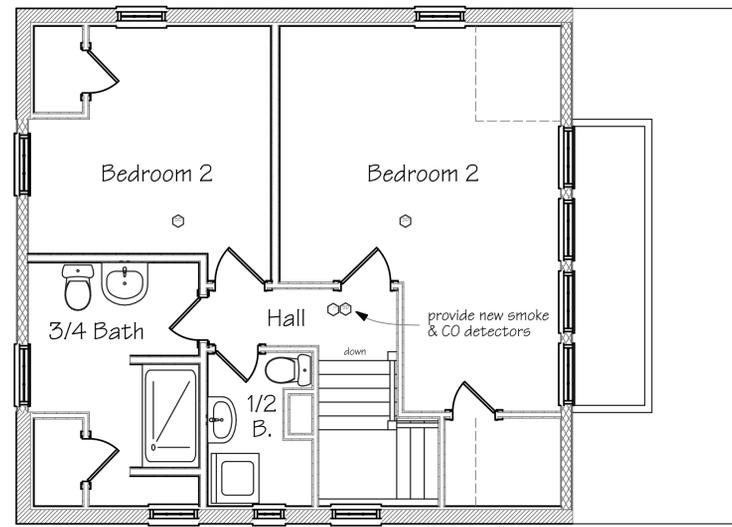


Legend

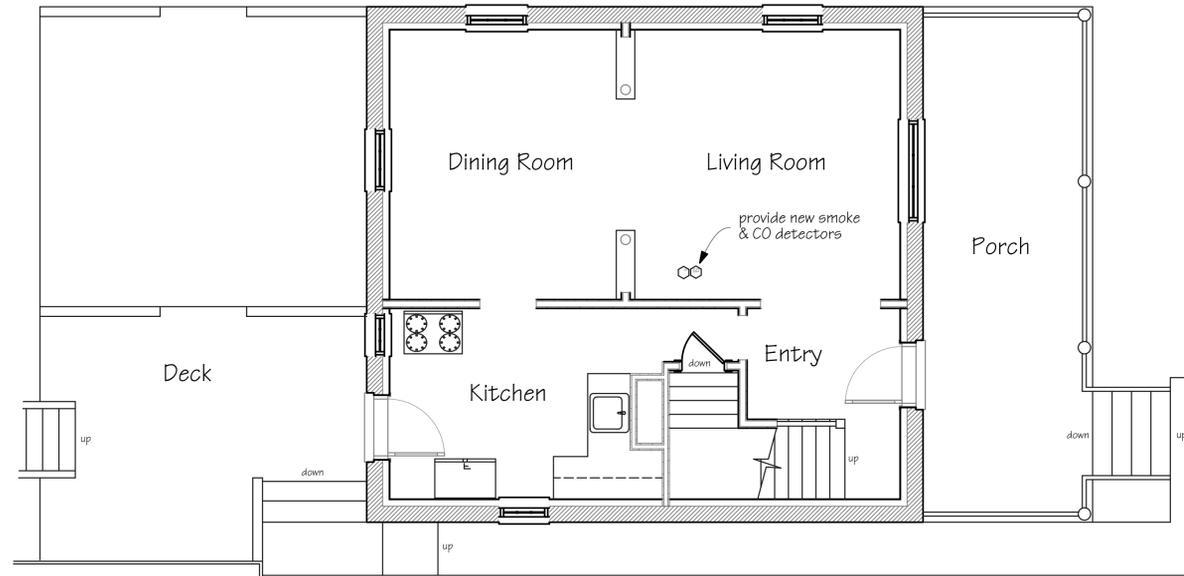
- Buildings
- Parcel Boundaries
- DC District
- MDR District
- LDR District



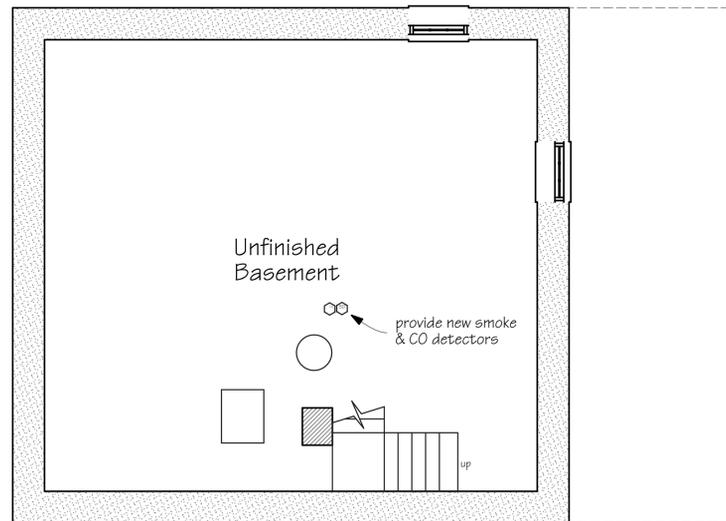
0 50 100 150 200 250
Feet



Existing Second Floor Plan 635 gross s.f.
1/4" = 1'-0"



Existing First Floor Plan 635 gross s.f.
1/4" = 1'-0"



Existing Basement Plan 635 gross s.f.
1/4" = 1'-0"

Building Classification
 Zoning DC Downtown Commercial, Vacation Rental Special Use permit
 Construction Type III A, Historic Building, 2 stories, +/-1,905 sq. ft. gross

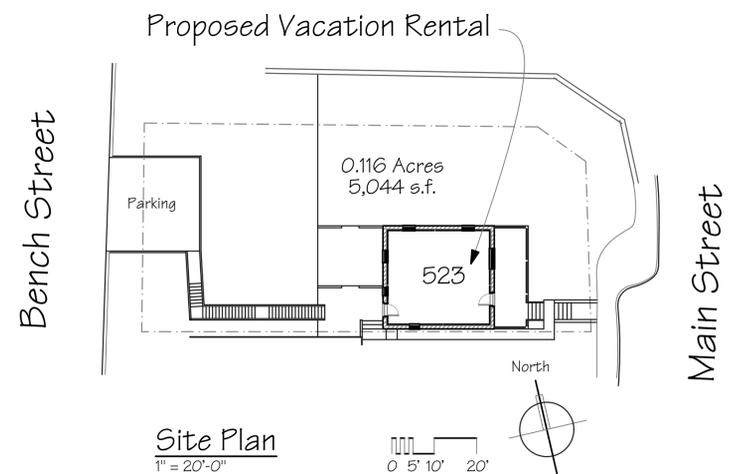
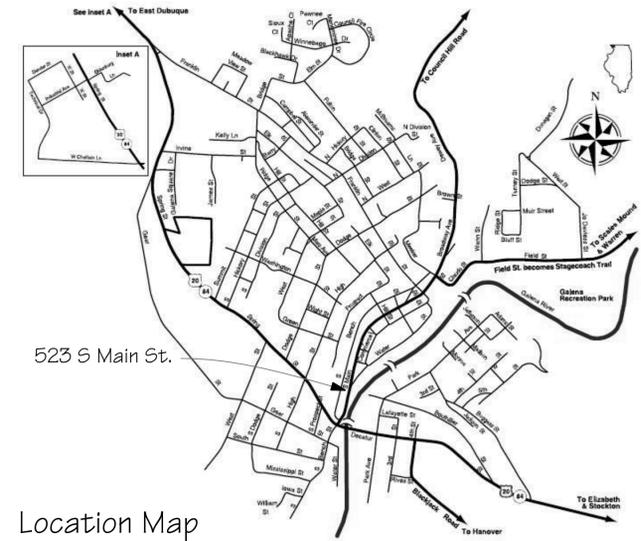
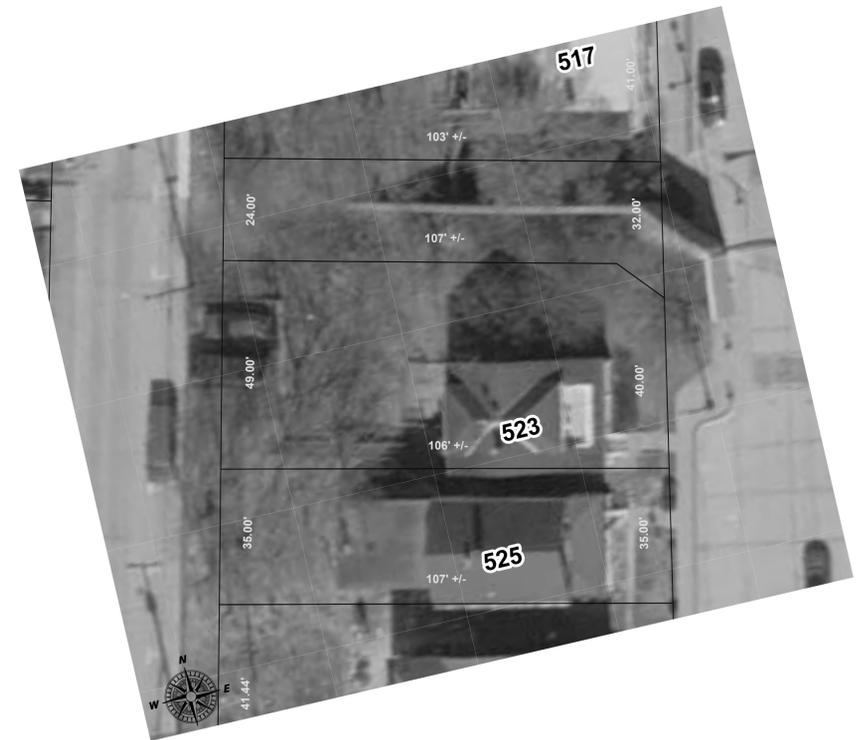
Vacation Rental Unit, 2 Bedrooms, 2 Baths
 1,905 s.f. with 2 parking spaces
 6 guests allowed

Occupancy Change of occupancy from R3 to R1

Project type: Change of occupancy from R3 to R1
 No Alterations

General Notes

- Existing Bedrooms are grandfathered.
- All work to conform to governing Federal, State & Local Codes.
- Verify existing electrical system & modify as needed. All electrical wiring to conform to the National Electrical Code.
- All outlets at wet locations & at exterior to be ground fault interrupter protected.
- Smoke Detectors are required throughout all areas, provide minimum one smoke detector & one carbon monoxide detector per floor. Provide new smoke detectors within each new bedroom & within 10' of a bedroom door. Hardwire all new detectors with battery back-up.
- Provide fire alarm system designed by licensed designer & as approved by the City of Galena Fire Department.



Site Plan
1" = 20'-0"