

**MINUTES
ZONING BOARD OF APPEALS
JUNE 19, 2013**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, June 19, 2013 at City Hall, 312 ½ N. Main Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Present
Bochniak	Absent
Carlisle	Absent
Holman	Present
Nybo	Present
O'Keefe	Present
Rosenthal	Present

A quorum was declared.

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

APPROVAL OF MINUTES

MOTION: O'Keefe moved, seconded by Nybo to approve the minutes from the April 10, 2013 meeting.

Motion carried on voice vote.

As there was not a quorum of those members who attended the May 8 meeting, the minutes could not be approved

MOTION: O'Keefe moved, seconded by Nybo to postpone approval of the May 8 minutes until the July 12, 2013 meeting.

Motion carried on voice vote.

OLD BUSINESS

None.

NEW BUSINESS

Cal. No. 01S-03A, Applicant & Owner – Kathleen Meyer, 105 South High Street, Galena, IL 61036. One year review of Special Use Permit for the addition of a fifth guest room to an existing four guest room Bed & Breakfast on Lots 1-6 in Block 4 Original City West Side of the Galena River, commonly known as 105 South High Street, Galena.

Holman asked Zoning Administrator Oldenburg if there had been any complaints regarding the fifth bedroom.

Oldenburg said there had been no formal complaints for the City to investigate. There had been one phone inquiry and a letter sent from a neighbor for tonight's meeting, but no official complaints were lodged.

O'Keefe asked if any action needed to be taken.

Rosenthal said this was only a review and since there were no complaints there was no action needed.

COUNTY ZONING

Stephen Walker, 106 N Main Street, Galena IL Request for Rezoning from an RP Planned Residential District to PD Planned Development Mixed District to allow for a Recreation and Entertainment Outdoor Venue. This property is within the 1.5 mile extraterritorial jurisdiction of the City of Galena. The legal description of the property is part of Sections 27 & 28, Township 28 North, Range 1 East of the Fourth Principal Meridian, East Galena Township, Jo Daviess County, IL containing 66.89 acres more or less. Property is commonly known as 1300-1301 North Irish Hollow Road, former location of Fried Green Tomatoes and the County Poor Farm.

Baranski asked to be recused from this agenda item due to an ongoing client relationship with the property owners. Rosenthal granted the request.

Rosenthal asked City Attorney Nack if the Board was to simply discuss this.

Nack said yes the Board should discuss this and then make a recommendation to the City Council.

O'Keefe asked Nack what vote would be needed to send a recommendation to the City Council.

Nack said a simple majority – 3 votes.

O'Keefe asked Oldenburg how this fit in with the City's Comprehensive Plan.

Oldenburg said the proposed site is outside the City's Contiguous Growth Area, but because the site is within the 1.5 miles of Galena, the County does need the City's recommendation before making its own decision.

Rosenthal asked if the Board was given any impact study concerning traffic on Blackjack or Irish Hollow.

Oldenburg said none had been included.

Rosenthal asked if there was any information as to how this would impact the Sherriff, Police and Fire Departments.

Oldenburg said again nothing had been included in the materials sent from the County.

O’Keefe said his feeling was that if he lived in this area he would be strongly against it.

MOTION: O’Keefe moved, seconded by Holman to recommend the City Council object to the request for rezoning from RP Planned Residential District to PD Planned Development Mixed District within the 1.5 mile extraterritorial jurisdiction of the City of Galena due to the residential and agricultural nature of the area.

Discussion: Nybo said without any impact studies showing the direct effect on the City of Galena he would agree to recommend the City object to the proposal.

O’Keefe said it seems that for many years the County and City have tried to keep the area residential and agricultural. To go in the opposite direction seems to be against the intent.

As Roll Call was:

Bochniak	Absent
Carslisle	Absent
Holman	Yes
Nybo	Yes
O’Keefe	Yes
Baranski	Recused
Rosenthal	Yes

Motion carried.

Baranski returned to the table.

Carl Schoenhard, 8970 W Stagecoach Trail, Galena IL Request for a Special Use Permit to allow for a single family residence in the AG Agricultural District on a lot less than 40 (40) acres, with a variation in the lot size requirement and one lot subdivision. The property is located within the 1.5 mile extraterritorial jurisdiction of the City of Galena. The legal description of the property is part of Parcel 1 of the Plat of Survey of “Chippewa Acres” in parts of the Southeast and Southwest Quarters of Section 9, Township 28 North, Range 1 East of the Fourth Principal Meridian, Rawlins Township, Jo Daviess County IL containing 1.37 acres more or less. Property is commonly known as 9641 N Buckhill Road, Galena.

Baranski said the applicant is trying to subdivide the existing house and sell it. O’Keefe said the County issues Special Use Permits when a property owner wishes to build a home or sell property on which a home will be built where less than the required 40 acres is involved. They are then able to have a residential tax rate.

Baranski said this area is an established single family residential area. There are homes all along Buckhill and Donegan Streets. He does not have a problem with the request.

MOTION: Baranski moved seconded by Nybo to recommend the City Council not object to the request for a Special Use Permit to allow a single family residence in AG Agricultural District on a lot less than 40 (40) acres with a variation in the lot size requirement and one lot subdivision located within the 1.5 mile extraterritorial jurisdiction of the City of Galena.

As Roll Call was:

Carlisle	Absent
Holman	Yes
Nybo	Yes
O’Keefe	Abstain
Baranski	Yes
Bochniak	Absent
Rosenthal	Yes

Motion carried.

WORKSESSION/OTHER

None

PUBLIC COMMENTS

Charlotte Kennedy, 1022 Fourth Street, Galena wanted to know if the Zoning Board could do anything about the ineffective stop sign at Blackjack/Fourth and Rives Street.

Jim Boho, 1477 Irish Hollow Road, Galena thanked the Board for their recommendation to the City Council on the Irish Hollow request.

MOTION: O’Keefe moved, seconded by Baranski to adjourn the meeting.

Motion carried on voice vote.

Nybo adjourned the meeting at 7:15 PM.

Respectfully submitted by

Deb Price
Zoning Board Secretary
06-19-2013 – ZBA