

**MINUTES  
ZONING BOARD OF APPEALS  
MARCH 13, 2013**

**CALL TO ORDER:**

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, March 13, 2013 at City Hall, 312 ½ N. Main Street, Galena, IL.

**ROLL CALL AND DECLARATION OF QUORUM:**

As Roll Call was:

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

A quorum was declared.

Nate Kieffer, 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 February 13, 2013 minutes.

Motion carried on voice vote.

**OLD BUSINESS**

Cal. No. 13S-02, Applicant & Owner – Rosean & John Wilson, 1570 Seippel Road, Dubuque, IA 52002. Request for a Special Use Permit for Removable Outdoor Display use as an accessory use to the primary use of a retail shop on 0.91 acres being Lots 11 thru 19 in Turney's Addition to the City of Galena, commonly known as 700 Spring Street, Galena.

Rosenthal said the reason this was continued was that the Board wanted to ask the applicant additional questions. The applicant's husband was at the Public Hearing in February.

Baranski asked Rosean Wilson what the intent of the application was.

Wilson said the shop owners would be the ones to best answer the Board's questions.

Jim Thomas, 700 Spring Street Galena said they would like to be able to display items but they are not really committed to a tent due to logistics and approval. There may be an exception to this in the fall as well as if they decide to sell produce. They would like to know if they could display a stagecoach which they use for the old time photo studio. This would attract people to the shop. They are wondering if they could have one or two tables where a crafter is working.

O'Keefe said the Board needs to act on the application before them.

**MOTION:** Baranski moved seconded by O'Keefe to draft a positive Finding of Fact to approve the Special Use Permit request as written.

Discussion: O'Keefe said the reason this came before the Board is due to the fact they had a tent last weekend.

Baranski said his motion is for what is in the application and it will be up to the City to enforce what is allowed.

O'Keefe said he wants the applicant to realize that this ordinance does not allow moving a stagecoach out for display.

Kieffer said he believes the intent of the activity is to be able to sell items outside that you normally sell inside. If you sell vegetables inside you would be able to display them outside.

As Roll Call was:

|           |        |
|-----------|--------|
| Bochniak  | Yes    |
| Carlisle  | Absent |
| Holman    | Absent |
| Nybo      | Yes    |
| O'Keefe   | Yes    |
| Baranski  | Yes    |
| Rosenthal | Yes    |

Motion carried.

**NEW BUSINESS**

Cal. No. 13HCO-01, Applicant: Adam Johnson Architecture – 211 Fourth St., Galena, IL 61036. Owner: Veterinary Associates Real Estate, LLC – 1241 Franklin St., Galena, IL 61036. Location: Part of Lot 1 in Thomas M. Harney Place, Section 13, T28N, R1W, City of Galena, common address 1241 N. Franklin Street, Galena, IL. Request for a Non-Administrative Highway 20 Development Permit to construct a new veterinary clinic building and associated site improvements.

**MOTION:** Baranski moved, seconded by Bochniak to open the Public Hearing on Cal. No. 13-HCO-01.

Motion carried on voice vote.

Nack swore those in who wished to testify at tonight's Public Hearing.

Adam Johnson, 211 Fourth Street Galena said that he has designed a new building to replace the existing Veterinary Clinic. After the new building is built the old building will be torn down. He has worked with Kieffer to comply with the Highway Corridor guidelines.

Rosenthal asked if the business operations would differ any from what they do now.

Johnson said no. It would be business as usual.

No one was present to testify either in favor of or in opposition to the request.

**MOTION:** O'Keefe moved, seconded by Bochniak to close the Public Hearing on Cal. No. 13HCO-01.

Motion carried on voice vote.

**MOTION:** O'Keefe moved, seconded by Baranski to approve the request for a Non-Administrative Highway 20 Development Permit as written.

Discussion: O'Keefe said he thought it was a fantastic plan.

Baranski concurred. It conforms to every chapter of the design guidelines as we want a project to. It will be a great addition to the area.

Nybo asked about staff comments.

Baranski said it would have to comply with the guidelines and staff will make sure it does.

As Roll Call was:

|           |        |
|-----------|--------|
| Carlisle  | Absent |
| Holman    | Absent |
| Nybo      | Yes    |
| O'Keefe   | Yes    |
| Baranski  | Yes    |
| Rosenthal | Yes    |
| Bochniak  | Yes    |

Motion carried.

## COUNTY ZONING

None

## WORKSESSION/OTHER

### ZBA Member Bio's and Photographs Reminder

Kieffer reminded Board members who had not turned this in to do so.

### Voting after being absent at prior meeting

Kieffer asked if a Board member could vote on approval of the minutes if they had not attended the meeting and had not listened to the tape of the meeting.

Rosenthal said no.

### Availability of Zoning Administrator for questions regarding agenda items – contact information.

Kieffer reminded the Board that he is more than happy to discuss any agenda item before the meeting. He also pointed out that he would like to get the Board member's ordinance books updated.

## PUBLIC COMMENTS

None

**MOTION:** Bochniak moved, seconded by Carlisle to adjourn the meeting.

Motion carried on voice vote.

Rosenthal adjourned the meeting at 7:05 PM.

Respectfully submitted by

Deb Price  
Zoning Board Secretary