

**MINUTES
ZONING BOARD OF APPEALS
SEPTEMBER 9, 2015**

CALL TO ORDER:

Acting Chairperson Nybo called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, September 9, 2015 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

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

A quorum was declared.

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

APPROVAL OF MINUTES

MOTION: Cook moved, seconded by Baranski to approve the minutes for the July 8, 2015 meeting.

Motion to approve the minutes carried on voice vote.

OLD BUSINESS

None

NEW BUSINESS

Cal. No. 15A-01, City of Galena, 101 Green Street, Request for text amendment to revise Chapter 155: Floodplain Management Standards of the City of Galena Code of Ordinances to meet new requirements of the Federal Emergency Management Agency (44 Code of Federal Regulations Sections 60.3(c)).

MOTION: Baranski moved, seconded by O’Keefe to open the Public Hearing on Cal. No. 15A-01.

Motion carried on voice vote.

Oldenburg presented for the City. He stated that every five years FEMA updates this information for the National Floodplain Insurance System. The City of Galena has participated in this since 1973; the last update was 2010. No changes were made to the maps but changes were made to 60.3C. The changes need to be adopted by December 2, 2015 for the City to participate. This qualifies Galena and its citizens to participate in the insurance program. The City worked with the DNR and the Office of Water Resources for a template that is acceptable to FEMA.

Cooked asked about 155.067 - the entire section is crossed thru.

Oldenburg said this information is now referenced in other sections.

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

MOTION: O’Keefe moved, seconded by Baranski to close the Public Hearing on Cal. No. 15A-01.

MOTION: O’Keefe moved, seconded by Baranski to approve the request for a text amendment to revise Chapter 155: Floodplain Management Standards of the City of Galena Code of Ordinances to meet new requirements of the Federal Emergency Management Agency (44 Code of Federal Regulations Sections 60.3(c)) as written.

O’Keefe said the federal government is the only one who offers flood insurance. Without the Floodplain Management Standards you would not be able to protect your land – actually you wouldn’t even be able to purchase property in the floodplain.

Baranski agreed.

The Board reviewed the Approval Criteria:

1. Whether the existing text or zoning designation was in error at the time of adoption;
2. Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;
3. Whether the proposed rezoning is compatible with the surrounding area and defining characteristics of the proposed zoning district or whether there may be adverse impacts on the capacity or safety of the portion of street network influenced by the rezoning, parking problems, or environmental impacts that the new zone may generate such as excessive storm water runoff, water, air or noise pollution, excessive nighttime lighting, or other nuisances;
4. Whether the proposal is in conformance with and in furtherance of the implementation of the goals and policies of the Comprehensive Plan, other adopted plans, and the policies, intents and requirements of this code, and other city regulations and guidelines;
5. Whether adequate public facilities and services are available or will be made available concurrent with the projected impacts of development in the proposed zone;
6. Whether there is an adequate supply of land available in the subject area and the surrounding community to accommodate the zoning and community needs; or
7. Whether there is a need in the community for the proposal and whether there will be benefits derived by the community or area by the proposed rezoning.

The Board agreed that only # 4 was applicable to this request.

As Roll Call was:

Bochniak	Absent
Cook	Yes
Holman	Yes
Nybo	Yes
O'Keefe	Yes
Baranski	Yes
Rosenthal	Absent

Motion carried.

Cal. No. 15S-03, City of Galena, 101 Green Street, Request for Special Use Permit to allow an off-premises sign in the right-of-way, off-street, near the entrance to Cobblestone Boulevard to indicate entrance to the Cobblestone Crossing subdivision and to provide screening for the adjacent lift station equipment.

MOTION: Baranski moved, seconded by Cook to open the Public Hearing on Cal. No. 15S-03

Motion carried on voice vote.

Oldenburg presented for the City. Cobblestone Crossing has been in existence for quite some time. There is a new owner and development continues. It may or may not have been the intent when the subdivision was approved but there should be a sign indicating when you are entering a subdivision. The developer approached the city about locating a sign at the entrance to Cobblestone Crossing – where Cobblestone Boulevard begins. The reason for the Special Use Permit is because the property that defines Cobblestone Boulevard does not have any available adjacent land to locate the sign. Typically we would require that the sign be located on premise. When the subdivision street meets all the requirements it will be deeded over to the City as right of way. By recommendation of the developer and with the agreement of the City the logical place to locate the sign would be in a spot that would also screen the sanitary sewer lift station. The developer would purchase the large limestone rock for the monument sign and have Cobblestone Crossing etched in. They will also pay to landscape the area with native perennials and shrubs and maintain the area.

O’Keefe said he believed the previous developer paid for the infrastructure.

Oldenburg said he had.

Oldenburg added that typically we don’t allow off premise signs because of the National Scenic Byways Act. Commercial businesses are not allowed off premise signs. This is a residential development and allowing this sign serves a purpose to the city also.

Cook asked if it would interfere in any way with the lift station.

Oldenburg said both Andy Lewis, City Engineer and Jeff Saylor, American Water manager had signed off on this.

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

MOTION: Baranski moved, seconded by Cook to close the Public Hearing on Cal. No. 15S-03.

Motion carried on voice vote.

MOTION: O’Keefe moved, seconded by Holman to draft a positive Finding of Fact for a request for a Special Use Permit to allow an off-premises sign in the right-of-way, off-street, near the entrance to Cobblestone Boulevard to indicate entrance to the Cobblestone Crossing subdivision and to provide screening for the adjacent lift station equipment.

O’Keefe said the subdivision has struggled but seems to be back on track. The sign won’t necessarily help the development but it will screen the unsightly lift station at the entrance to the subdivision.

As Roll Call was:

Cook	Yes
Holman	Yes
Nybo	Yes
O’Keefe	Yes
Baranski	Yes
Bochniak	Absent
Rosenthal	Absent

Motion carried.

COUNTY ZONING

None

WORKSESSION/OTHER

None

PUBLIC COMMENTS

None

MOTION: Cook moved, seconded by Holman to adjourn the meeting at 6:50 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary