

**MINUTES
ZONING BOARD OF APPEALS
AUGUST 10, 2016**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday August 10, 2016 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Absent
Bochniak	Present
Cook	Present
Holman	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 also present.

APPROVAL OF MINUTES

Bochniak moved, seconded by Cook to approve the July 2016 minutes.

Motion carried on voice vote.

OLD BUSINESS

Cal. No. 16V-01, Applicant and Owner: Alicia Buss, 2564 N. Windy Lane, Galena, IL 61036. Location: Parcel: 22-101-185-10, Located on Tract 2, Lot 9 and parts of Lots 6, 7 & 8 in Block 5 of the North Galena Addition, City of Galena, Jo Daviess County, Illinois. Request for a variance to allow a front facing garage to be located in front of the furthest projecting portion of the front façade of the dwelling.

MOTION: Bochniak moved, seconded by Cook to approve the Findings of Fact for Cal. No. 16V-01.

As Roll Call was:

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

Motion carried.

NEW BUSINESS

Cal. No. 16PD-02, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036 and Owner: Grace Episcopal Church, 107 S Prospect Street, Galena, IL 61036. Location: Parcel: 22-100-561-00, Lots 7, 9, 11 and South Half of Lot 5, Block 3 of the Original City of Galena, Jo Daviess County, Illinois. Common Address: 107 South Prospect Street, Galena, IL 61036. Request for approval of the Final Development Plan of the PUD.

MOTION: Nybo moved, seconded by Bochniak to open the Public Hearing on Cal. No. 16PD-02.

Motion carried on voice vote.

Nack swore in those persons who wished to testify at tonight's public hearing.

Adam Johnson 211 Fourth Street, Galena said he is representing the applicant. Nothing has changed in the Development Plan and the applicant is aware of and agrees to follow all directives issued by the City Council.

Rosenthal asked those in favor of the application to come forward.

No one did.

Rosenthal asked those opposed to the request to come forward and testify.

James Wirth 121 S High Street, Galena suggested the ZBA consider reducing the applicants request for a five-year time lapse before the studies are started. There could be a change in City staff, council or board members, church members or neighbors. He asked that if the ZBA was going to approve the finding that they consider his suggestions for language to be included in the motion. The intention of the studies is to make the applicant eligible to apply for a building permit. Studies may show particular conditions that need to be met or even that the project cannot go forward and as such it would be inappropriate for a building permit to be issued. Again - approval means the applicant would be eligible to apply for the building permit. If the Zoning Board has any doubt as to what the City Council's directives were they should send it back to them.

Rosenthal asked the applicant if they wished to rebut any of the testimony.

Johnson said they needed to indicate a time frame, but they are planning to proceed immediately. Stamped professional plans will be submitted. The studies are just the studies; they realize that having the studies done does not guarantee a building permit.

MOTION: Bochniak moved, seconded by Cook to close the Public Hearing on Cal. No. PD-02.

Motion carried on voice vote.

MOTION: Jansen moved, seconded by Holman to approve the Final Development Plan of the PUD request for Cal. No. 16A-02.

Discussion: Nybo asked if the language from Oldenburg's memo should be included in the motion.

Oldenburg said he outlined the specific conditions as motioned by the City Council.

Nack said Oldenburg's memo summarized the City Council's directives when they approved the request.

As Roll Call was:

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

Motion carried.

COUNTY ZONING

None

WORKSESSION/OTHER

None

PUBLIC COMMENTS

None.

MOTION: Jansen moved, seconded by Bochniak to adjourn the meeting at 6:50 pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary