R.25.08

Passed and Approved this 25th Day of August 2025 by the City Council.

AYES:	NAYS:	ABSENT:
Westemeier, Wienen, Gates, Johnson, Kieffer, Tegtmeyer Renner	None	None

Terry Renner
Mayor

ATTEST:

Mary Beth Hyde
City Clerk

CITY OF GALENA, ILLINOIS

101 Green Street • P.O. Box 310 • Galena, Illinois 61036

Resolution No. R.25.08

ZONING BOARD OF APPEALS

DETERMINATION & RECOMMENDATION TO THE CITY COUNCIL OF THE CITY OF GALENA

REGARDING

CALENDAR NUMBER:	Cal. No. 25A-04
APPLICATION BY:	Scott and Bridget Franson, 812 S. Bench St., Galena, IL 61036.
FOR:	Request for the rezoning of parcel 22-101-353-00 from Heavy Industrial to Medium Density Residential.

PROCEDURES

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on August 13, 2025. The hearing was advertised in an edition of the Galena Gazette, in a quarter-page sized ad that was available to the general public between 15 and 30 days prior to the hearing. They were invited to testify if they so desired. A quorum of the Board was present at the hearing in which the subject application and materials were reviewed, and all persons were heard who desired to testify.

NATURE OF APPLICATION

The applicant seeks approval for a map amendment to rezone parcel 22-101-353-00, located directly adjacent to 812 S. Bench St., from Heavy Industrial to Medium Density Residential. The proposed rezoning would allow for the construction of a detached garage serving the residence at 812 S. Bench St.

Upon rezoning, the parcel would conform to all applicable bulk standards of the Medium Density Residential district. The provided setbacks support the garage construction, and the parcel is currently utilized by the property owners for parking and includes an existing storage shed.

The subject property is presently zoned Heavy Industrial. It is bordered to the north and west by parcels zoned Medium Density Residential, to the south by other Heavy Industrial parcels, and to

the east by the Galena River. The rezone of the subject parcel to Medium Density Residential would be a better fit for this area as Heavy Industrial land uses would not be appropriate.

Based on this configuration and intended use, staff recommends approval of the requested map amendment.

The ZBA conducted the public hearing on the text amendment. The ZBA voted to send a positive recommendation of the text amendment to the City Council by a vote of 7-0.

Testimony Presented on Behalf of the Applicant:

Scott Franson, South Bench Street, Galena. First and foremost, thank you for giving me the opportunity to speak briefly about our application. We purchased our home about four years ago. The property consists of two lots—one with the house and the other, an adjacent empty lot. When we combined the two, I regret to say I didn't realize that the second lot was zoned as heavy industrial. I should have paid closer attention at the time. Recently, we began discussing the idea of building a garage on that extra lot. When my wife met with Jonathan Miller to explore the possibility, we discovered the zoning designation. That's what led us to begin this application process—to respectfully request a change in zoning from heavy industrial to medium residential. Our goal is simple: we'd like to build a garage on the second lot to complement our home. Thank you again for your time and consideration.

There was no other testimony presented in in favor of or in opposition to the proposal.

APPLICABLE SECTIONS OF THE ZONING ORDINANCE

- Article 0, Section 154.005 through 154.008 sets forth the Purpose, Separability and Non-Liability, Abrogation and Rules of Interpretation of the Zoning Ordinance.
- Article 2, Section 154.201 (B) describes the standard Residential Zoning Districts.
- Article 2, Section 154.201 (B)(3) describes the definition and description of the Medium Density Residential Zoning District.
- Article 2, Section 154.207 lists the Intensity Standards for Residential uses.
- Article 9, Section 154.914 lists and describes the elements for Site Plan Review.
- Article 9, Section 154.920 sets forth the purpose, applicability, approval criteria, decision-maker, and application and review procedures for zoning code amendments and rezoning.

DETERMINATION

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by Scott and Bridget Franson for a map amendment to rezone parcel 22-101-353-00, 812 S. Bench St. from Heavy Industrial to Medium Density Residential be approved for the following reasons:

Zoning Map Amendment - In determining whether the proposed zoning map amendment shall be approved, the following factors shall be considered:

1. Whether the existing text or zoning designation was in error at the time of adoption; *YES.*

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.; *N/A*.

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; *The area is mostly Medium Density Residential.*

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; *YES, it is.*

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; *There are.*

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 *There is.*

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. *It is needed.*

RECOMMENDATION

NOW, THEREFORE BE IT RESOLVED, that this Zoning Board of Appeals does recommend to the City Council of the City of Galena that this request by Scott and Bridget Franson for a map amendment to rezone parcel 22-101-353-00, 812 S. Bench St. from Heavy Industrial to Medium Density Residential approved.

PASSED AND APPROVED this 13th day of August, A.D. 2025, by the Galena Zoning Board of Appeals by a vote of 7 ayes, 0 nays, 0 absent, 0 abstain, 0 recused.

John Rosenthal, Chairperson