

MINUTES
ZONING BOARD OF APPEALS
April 14, 2021

ZOOM TELECONFERENCE MEETING (ID:822 8621 9092)
<https://us02web.zoom.us/j/82286219092>

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday, April 14, 2021 via Zoom Teleconference Meeting, hosted at City Hall, 101 Green Street, Galena, IL.61036

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

| | |
|-----------|---------|
| Baranski | Present |
| Bochniak | Present |
| Calvert | Absent |
| Cook | Present |
| Jansen | Present |
| Nybo | Present |
| Rosenthal | Present |

A quorum was declared.

Zoning Administrator Matt Oldenburg, Building Official Jonathan Miller, City Attorney Joe Nack, Secretary Sue Simmons, were also present.

APPROVAL OF MINUTES

MOTION: Cook moved, seconded by Bochniak to approve the March 10, 2021 minutes.

Motion carried on voice vote. Jansen abstained he was not there on March 10, 2021

UNFINISHED BUSINESS

None

NEW BUSINESS

Cal. No. 21S-04, Emma-Jane & Justin Mayer – 420 Elk Street. Request for Special Use Permit to allow Accommodations, Bed & Breakfast land use in the Low Density Residential District. 8 – 13

MOTION: Jansen moved, seconded by Cook to open the public hearing on Cal. No. 21S-04.

Motion carried on voice vote.

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

Emma-Jane Mayer 420 Elk Street spoke to open 2 room B&B per her application.

Rosenthal had questions to ask -about 2 parking stalls in back will it be for personal use or customer use?

Emma – Jane stated personal use for her and husband.

Rosenthal then asked Matt if there is adequate parking?

Matt said Yes there is .

Emma had nothing more to add.

Speaking in favor of request

Adam Johnson spoke that he prepared Application and drawings and asked if there were questions as he felt it was an adequate application.

Speaking in opposition

Diana Pitstik 405 Hill lives south of property on other side of alley. Due to short turn- around time of the neighborhood letter she is unsure who else would have had received letter. Commenting on streets being cow paths and where Elk turns to High it is a nail bender, gravelly street falling apart, blind approach. Bad driving conditions for someone that knows area worse for someone who does not. BB are up for sale 2019 homeowners were wanting to rent out homes these people frozen out 80 person waiting limit. Infrastructure and density issue primary concerns for neighborhood.

MOTION: to close the public hearing Bochniak moved, seconded by Cook

MOTION: to approve 21S-04 Baranski moved, seconded by Jansen

Baranski spoke of prior approval. Asked Matt about street width.
Cook asked difference between Air BB and BB?

Jim went through criteria , compliance standards

As Roll Call was:

| | |
|----------|---------|
| Calvert | Absent |
| Cook | Yes |
| Jansen | Yes |
| Nybo | Abstain |
| Baranski | Yes |
| Bochniak | Yes |

Rosenthal Yes

Motion carried.

Cal. No. 21S-05, Adam Johnson – 211 Fourth Street. Request for Special Use Permit to allow Outdoor Dining as an accessory commercial land use in the Downtown Commercial district at 205 - 207 N. Main Street.

Joe swore in

MOTION to open public meeting: Bochniak moved, seconded by Cook

Motion carried on voice vote

Adam spoke of set up currently there.

Baransi asked about 15% of indoor gross space and asked for interpretation as indoor gross space. Asked if kitchen, bathrooms, backroom space all counted towards total floor area. Since outdoor dining becomes more popular so we are careful with interpretation.

Same use as last year

MOTION to ratify the Finding of Fact for Cal. No. 21S-05 as written.

Bochniak moved, seconded by Cook

Bochniak went through criteria , compliance standards

As Roll Call was:

| | |
|-----------|--------|
| Bochniak | yes |
| Calvert | Absent |
| Cook | Yes |
| Jansen | yes |
| Nybo | Yes |
| Baranski | Yes |
| Rosenthal | Yes |

Motion carried.

Cal. No. 21S-06, Adam Johnson – 211 Fourth Street. Request for Special Use Permit to allow Outdoor Entertainment as an accessory commercial land use in the Downtown Commercial district at 205 – 207 N. Main Street.

Joe swore in

MOTION: to open public hearing Bochniak moved, seconded by Cook

Adam spoke as this was just a compliment to the outdoor dining and they figured just get them both done at once.

Nybo asked about apartments above Paradise Rosenthal verified requirement for outdoor entertainment. Already set by council

Motion to close public hearing Bochniak moved, seconded by Cook

Motion to ratify the Finding of Fact for Cal. No. 21S-03 as written.

Bochniak moved, seconded by Bochniak

Baranski went through criteria , compliance standards

As Roll Call was:

| | |
|-----------|--------|
| Cook | Yes |
| Jansen | Yes |
| Nybo | Yes |
| Baranski | Yes |
| Bochniak | Yes |
| Calvert | Absent |
| Rosenthal | Yes |

Motion carried.

Jansen discussed if there was a problem with discussing public hearings prior to hearing with board member

Matt said it is in Rules and Procedure that it is Customary that they repute self from vote and disclose they had a discussion.

Good practice is to just say sorry I cannot discuss.

Matt announced that Andy Lewis is retiring, and Matt is moving to City Engineer.

Jonathan taking over Zoning and doing both Building and Zoning.

OTHER BUSINESS

None

PUBLIC COMMENTS

None

MOTION: moved by Bochniak, seconded by Cook to adjourn the meeting at 6:56 P.M.

Motion carried on voice vote.

Respectfully submitted by
Sue Simmons