



City of Galena, Illinois

AGENDA

ZONING BOARD OF APPEALS

WEDNESDAY, MARCH 13, 2024
6:30 P.M. – CITY HALL 101 GREEN STREET

The public may also view the meeting live (no public comment) on the
City of Galena YouTube Channel at:

<http://www.youtube.com/@cityofgalena1826>

ITEM	DESCRIPTION
24Z-2001	Call to Order by Presiding Officer
24Z-2002	Roll Call
24Z-2003	Establishment of Quorum
24Z-2004	Public Comments Not to exceed 15 minutes as an agenda item Not more than 3 minutes per speaker

APPROVAL OF MINUTES

ITEM	DESCRIPTION	PAGE
24Z-2005	Approval of the Minutes of the Regular Meeting of January 10, 2024.	1-4

UNFINISHED BUSINESS

ITEM	DESCRIPTION	PAGE
24S-01	Owner and Applicant: Kathryn Baxa. Reading of the Finding of Fact for a request for a Special Use Permit to operate an Artisan Studio at 301 S. Dodge St.	5-8

NEW BUSINESS

ITEM	DESCRIPTION	PAGE
24A-01	Owner and Applicant: Christine Ehlinger. Request for a Map Amendment to Rezone two parcels from Limited Agriculture to Low Density Residential. This item will be a Public Hearing.	9-15
24PD-01	Owner and Applicant: Chains and Links, Inc. Request for a PUD Amendment to change the zoning on 2 parcels of Galena Square from PUD with an underlying zoning district of Planned Commercial to PUD with an underlying zoning district of High Density residential. This item will be a Public Hearing.	16-25

OTHER BUSINESS



ITEM	DESCRIPTION	PAGE
24Z-2006	Adjournment	

CALENDAR INFORMATION

BOARD/COMMITTEE	DATE	TIME	PLACE
Zoning Board of Appeals	Wednesday, April 10, 2024	6:30 P.M.	City Hall, 101 Green St.

PUBLIC Wi-Fi

Public Wi-Fi is available in the city council chambers at City Hall. You may access Wi-Fi for free as follows:

	Network = CityOfGalena_Guest Password = guestwifi!	
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MINUTES OF THE ZONING BOARD OF APPEALS MEETING OF

January 10, 2024

23Z-2001 – CALL TO ORDER

Chairperson Rosenthal called the regular meeting to order at 6:30 p.m. in the Board Chambers at 101 Green Street on the 10th of January 2024.

23Z-2002 – ROLL CALL

Roll Call: AYES: Spivey, Gates, Monahan, Jansen, Einsweiler, & Rosenthal
NAYS: None
ABSENT: Baranski

Upon roll call, the following members were present: Bill Spivey, Roger Gates, Steve Monahan, Dave Jansen, Desiree Einsweiler, & John Rosenthal.

Absent: Jim Baranski

Also, present were Jonathan Miller and Joe Nack

23Z-2003 – ESTABLISHMENT OF QUORUM

Chairperson Rosenthal announced a quorum of board members were present to conduct city business.

22Z-2004 – PUBLIC COMMENTS

NONE

APPROVAL OF MINUTES

23Z-2005 – APPROVAL OF THE MINUTES OF THE REGULAR ZONING BOARD OF APPEALS MEETING OF December 13, 2023

Discussion: None

Motion: Spivey moved, seconded by Gates to approve the minutes of the regular Zoning Board of Appeals meeting of December 13, 2023.

The motion was carried by a voice vote.

UNFINISHED BUSINESS

Cal. No. 23V-09 Owner and Applicant: William Nybo, 345 Spring St., Galena, IL 61036. Location: Parcel: 22-100-638-00, Original Lots Block 9 Lot 27 & E 9' Lot 25, Galena, Jo Daviess County, Illinois. Common Address is 341 Spring St., Galena, IL 61036. Request for a Variance to install a freestanding sign closer than 10' from the Spring St. right of way.

Rosenthal read the conclusions, determination, and decision to approve from the finding of fact in the agenda.

Motion: Gates moved, seconded by Jansen to approve 23V-09 a request for a Variance to install a freestanding sign closer than 10' from the Spring St. right of way.

Discussion: None

Roll Call: AYES: Gates, Monahan, Jansen, Einsweiler, & Rosenthal
NAYS: None
ABSTAIN: None
ABSENT: Baranski

Cal. No. 23S-02 Applicant Galena Lion's Den, 109 S. Main St., to allow Outdoor Dining as accessory commercial land uses in the Downtown Commercial Zoning District.

Gates recused himself and left the room.

Rosenthal read the conclusions, determination, and decision to approve from the finding of fact in the agenda.

Discussion: none

Motion: Monahan moved, seconded by Einsweiler, to approve item # 23S-02 to allow Outdoor Dining as accessory commercial land uses in the Downtown Commercial Zoning District.

Roll Call: AYES: Monahan, Jansen, Einsweiler, Spivey, & Rosenthal
NAYS: None
ABSTAIN: None
ABSENT: Baranski
RECUSED: Gates

Cal. No. 23S-03 Applicant Galena Lion's Den, 109 S. Main St., to allow Outdoor Entertainment as accessory commercial land uses in the Downtown Commercial Zoning District.

Rosenthal read the conclusions, determination, and decision to approve from the finding of fact in the agenda.

Motion: Jansen moved, seconded by Monahan to allow Outdoor Entertainment as accessory commercial land uses in the Downtown Commercial Zoning District item #23S-03.

Discussion: None

Roll Call: AYES: Jansen, Einsweiler, Spivey, Monahan, & Rosenthal
NAYS: None
ABSTAIN: None
ABSENT: Baranski
RECUSED: Gates

Gates rejoined the meeting.

NEW BUSINESS

Nack swore in all those wishing to testify.

Rosenthal reminded all to sign in if they wished to speak at any of the public hearings.

CA. No 24S-01, Owner and Applicant: Kathryn Baxa, 301 S. Dodge, Galena, IL 61036.

Location: Parcel: 22-100-783-00, Original Lots Block 18 Pt Lot 2, Galena, Jo Daviess County, Illinois. Common Address is 301 S. Dodge St., Galena, IL 61036. Request for a Special Use Permit to operate an Artisan Studio in the Low-Density Residential Zoning District. **This item was a Public Hearing.**

Motion: Monahan made a motion, seconded by Einsweiler, to open the public hearing for item 24S-01

Motion carried by voice vote.

Speaking in favor of the application

Kathryn Baxa 301 S Dodge, Galena, IL 61036.

Explained her plan to use a small portion of her house as a pottery studio. Main intent is to use mostly for lessons. She is part of a scenic art group. Small display area. Only has ever had a small Plans to hold open studio once a month. Explained her group.

Gates asked how often she will have open houses.

Baxa said once a month.

Rosenthal asked if this is in her garage?

Baxa said no in her home.

Monahan asked if she has parking?

Baxa said 3 spots in front of house and her driveway.

Rosenthal said so for pottery classes.

Baxa said Yes only room for 2 people.

Jane Hess 414 Green St., Galena, IL 61036. Stated she lives a ½ block away and sees no reason to object to it from a professional standpoint. Kathryn is a considerate neighbor and talented artist. She saw no issue with traffic or parking. She wants them to approve.

Speaking in opposition of the application

No one

Motion: Jansen moved, seconded by Monahan to close the Public Hearing.

Motion carried by voice vote.

Motion: Spivey made a motion to approve the request for Cal. No. 24S-01 a Special Use Permit to operate an Artisan Studio in the Low-Density Residential Zoning District, seconded by Gates.

Discussion: none

Spivey read the Special use criteria.

The application shall demonstrate that the proposed development will comply with the following:

- (1) *Site plan review standards.* All applicable site plan review criteria in §154.914.
- (2) *District standards.* The underlying zoning district standards established in §154.201 through §154.209 including the defining characteristics of the district;
- (3) *Specific standards.* The land use regulations established in §154.406;
- (4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities.
- (5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:
 - (a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants;
 - (b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property.
 - (c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties.

Roll Call: AYES: Jansen, Einsweiler, Spivey, Gates, Monahan, & Rosenthal
 NAYS: None
 ABSTAIN: None
 ABSENT: Baranski

Motion carried.

OTHER BUSINESS

None

22Z-2006 – ADJOURNMENT

Motion: Gates moved, seconded by Einsweiler to adjourn.

The motion carried on a voice vote.

The meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Sue Simmons
 Zoning secretary

CITY OF GALENA, ILLINOIS

101 Green Street, Galena, Illinois 61036



DECISION

ZONING BOARD OF APPEALS OF THE CITY OF GALENA

REGARDING

CALENDAR NUMBERS: 24S-01

APPLICATION BY: Kathryn Baxa, 301 S. Dodge St., Galena, IL 61036.

FOR: A Special Use Permit to operate an Artisan Studio in the Low-Density Residential Zoning District at 301 S. Dodge St.

FINDINGS OF FACT

PROCEDURES

Pursuant to law, a public hearing was held by the Galena Zoning Board of Appeals regarding this matter on January 11, 2023. The hearing was advertised in an edition of the Galena Gazette that was available to the general public between 15 and 30 days prior to the hearing. Letters were sent out to notify property owners within 250 feet of subject property of the request and public hearing date. 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 is requesting a Special Use Permit to operate an Artisan Studio in the Low-Density Residential District. This commercial land use is allowed by Special Use Permit only in the Low-Density Residential District.

The applicant would like to use approximately 200 square foot of space in her home at 301 S. Dodge St. as an artisan studio. The space will include a worktable, pottery wheels, other pottery equipment, and items for sale. While working in the studio, people would be able to see how a piece of pottery is made, take instruction, and have the opportunity to purchase a finished piece.

The Artisan Studio is approximately 200 square feet in size and would require 1 off-street parking spaces per ordinance. The driveway accessed from Green St. has enough room for the 2 parking spaces off the street.

Telephone: 815-777-1050 • Facsimile: 815-777-3083 • www.cityofgalena.org

Surrounding Zoning Districts are Low Density Residential on all sides.

The request meets the criteria for an Artison Studio in the Low-Density Residential District. Staff feels that this will have a very minimal impact, if any, on the surrounding neighborhood and recommends approval of this request.

PUBLIC SUPPORT AND/OR OBJECTIONS

In accordance with Article 9, Table 154.918.1 of the City of Galena Zoning Ordinance, a public hearing was held for the Special Use Request. The Zoning Board of Appeals heard testimony regarding the application from the applicant and the public.

Since the Zoning Board of Appeals is not bound by the strict rules of evidence, substantial latitude is procedurally given in all cases to the kind of evidence that may be made a part of the record. In this case, all testimony and exhibits entered into the record were evaluated and given weight by Board members on the basis of credibility and factuality.

The following persons presented testimony during the public hearings. Their testimony was recorded in the official minutes of the hearing, which are hereby made a part of the findings.

Testimony Presented on Behalf of the Applicant and in Support of the Proposal:

Applicant, Kathryn Baxa, 301 S. Dodge St. Explained her plan to use a small portion of her house as a pottery studio. Main intent is to use mostly for lessons.

She is part of a scenic art group. Small display area. Only has ever had a small Plans to hold open studio once a month. Explained her group.

Jane Hess 414 Green St., Galena, IL 61036. Stated she lives a ½ block away and sees no reason to object to it from a professional standpoint. Kathryn is a considerate neighbor and talented artist. She saw no issue with traffic or parking. She wants them to approve.

Gates asked how often she will have open houses. Baxa said once a month.

Rosenthal asked if this is in her garage? Baxa said no in her home.

Monahan asked if she has parking? Baxa said 3 spots in front of house and her driveway.

Rosenthal said so for pottery classes. Baxa said Yes only room for 2 people.

No further testimony was presented in support of, or 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)(2) describes the definition and description of the Low-Density Residential District.
- Article 2, Table 154.202.1 lists the Intensity Standards for Residential uses.
- Article 4, Table 154.403.1 lists the land uses permitted by right or by special uses for each zoning district.
- Article 4, Section 154.406(D)(3) describes the detailed land use regulations for Artisan Studio land use.
- Article 9, Section 154.914 lists and describes the elements for Site Plan Review
- Article 9, Section 154.918 and Table 154.918.1 set forth the procedure for Required Non-Administrative Development Review.
- Article 9, Section 154.919 lists and describes the Non-Administrative Development Review Common Elements of Procedure.
- Article 9, Section 154.924 sets forth the purpose of a special use review.

CONCLUSIONS

In applying the regulations and pertinent performance standards of the Zoning Ordinance to this particular case, the following conclusions are reached:

1. The subject property is located in the Low-Density Residential Zoning District.
2. The applicant seeks a Special Use Permit to allow an Artisan Studio land use in the Low-Density Residential Zoning District.
3. Artisan Studios are allowed only by Special Use in a Low-Density Residential Zoning District.

DETERMINATION

Based upon the facts in this case, the Zoning Board of Appeals does find and conclude that the request by Kathryn Baxa for a special use permit to operate an Artisan Studio in the Low-Density Residential Zoning District should be approved for the following reasons:

1. The site plan review met the criteria for this request.
2. The request is compatible with the district standards for the Low-Density Residential District and is consistent with the defining characteristics of the district.
3. The specific standards for the district are met.
4. Complimentary uses are available.
5. The request is compatible with adjoining properties through:
 - a. The protection of privacy;
 - b. The elements of the plan are designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining properties;
 - c. The elements of the plan will coexist in a harmonious manner with nearby existing properties.

DECISIONS

Cal. No. 24S-01

NOW, THEREFORE BE IT RESOLVED, that this Zoning Board of Appeals has determined that this request by Kathryn Baxa to operate an Artisan Studio in the Low-Density Residential District should be approved.

PASSED AND APPROVED this 10th day of January, A.D. 2024, by the Galena Zoning Board of Appeals by a vote of 6 ayes, 0 nays, 1 absent, 0 abstain, 0 recused.

John Rosenthal, Chairperson

CITY OF GALENA, ILLINOIS

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



MEMORANDUM

TO: The Zoning Board of Appeals

FROM: Jonathan Miller, Zoning Administrator

DATE: February 29, 2024

RE: Cal. No. 24A-01, Owner and Applicant: Christine D Ehlinger, 405 S. Bench St., Galena, IL 61036. Location: Parcels: 22-101-349-00, Newhall's Add. Block 5 Lot 8 & Lot 9, and 22-101-349-10, Newhall's Add. Block 5 Lot 10 & Lot 11, Galena, Jo Daviess County, Illinois. Common Address is 707 Gear St. and TBD Gear St., Galena, IL 61036. Request for a Map Amendment to Rezone two parcels from Limited Agriculture to Low Density Residential.

Summary:

The applicant is requesting a map amendment to rezone 2 parcels from Limited Agriculture to Low Density Residential. Parcel 22-101-349-00 is addressed 707 Gear St. and the location of a single-family home that the applicant and owner is currently renovating to make her residence. As currently zoned LA, the property is considered to be an existing non-conforming land use. The applicant would like to construct a detached garage and can currently not be permitted to do so as the parcel is currently zoned. The applicant is not permitted to create a situation in which the property will become further non-conforming. Rezoning the parcel to LDR would allow further development on the site and would be a more appropriate zoning district for this parcel. The applicant would also like to rezone the vacant parcel, 22-101-349-10, to the South of 707 Gear St. to LDR in order for the parcel to be potentially developed in the future.

These parcels are bordered to the North and East by two other single-family parcels zoned LA. Shadow Bluff is located two parcels to the North. They are bordered on the South by Low Density Residential. The Greenwood Cemetery borders the parcels to the West along with another single-family parcel zoned LA and a larger Low Density Residential area.

It is the belief of staff that the two parcels are inappropriately zoned and would be best suited as residential parcels. Staff recommends approval of the request to rezone the two subject parcels from Limited Agriculture to Low Density Residential.

Approval Criteria & Recommendation for Map Amendment:

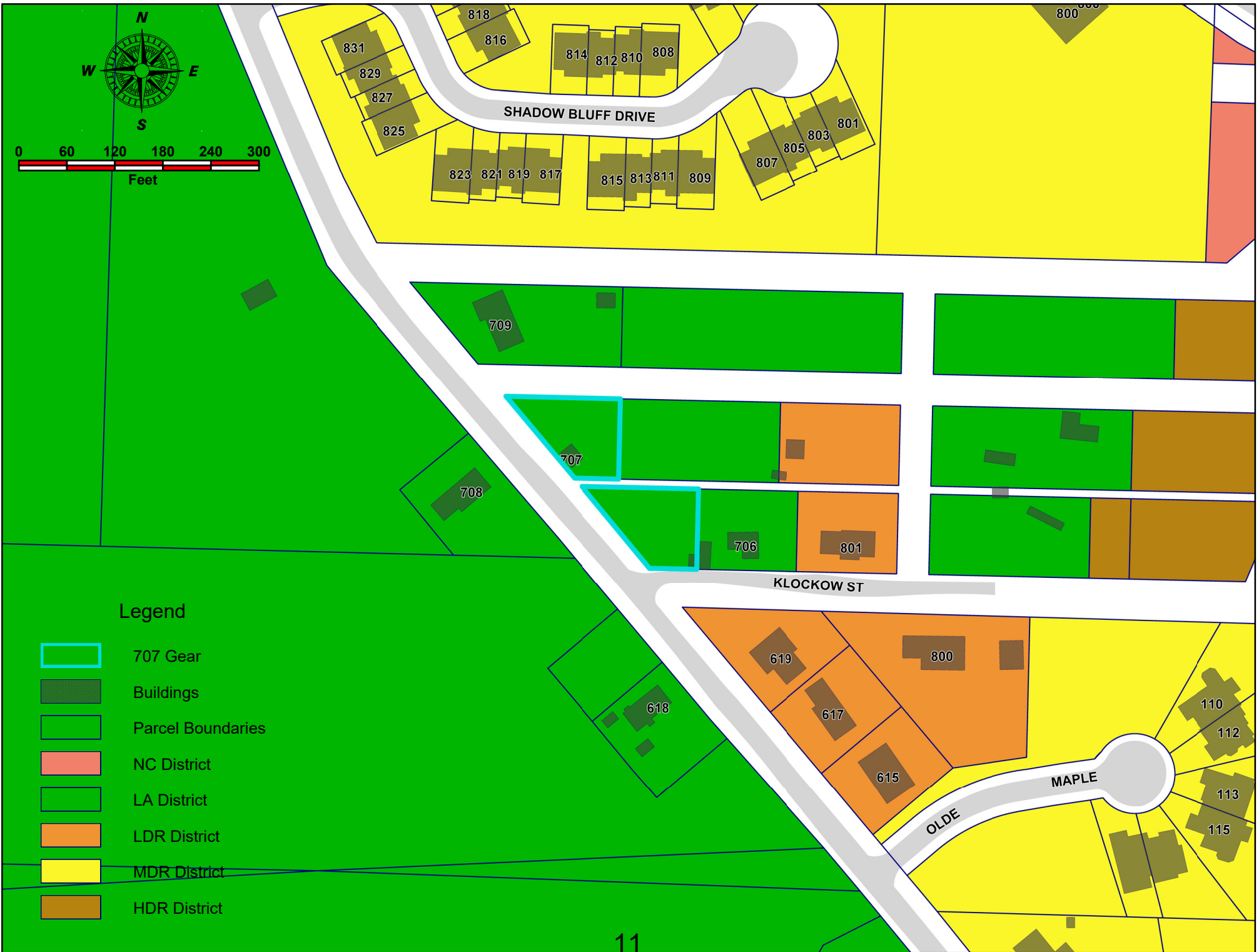
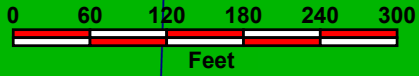
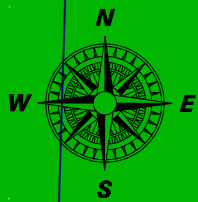
In order to maintain internal consistency within this code and on the zoning map, proposed amendments to the text and zoning map must be consistent with the purposes stated herein.

In determining whether the proposed amendment shall be approved, the following factors shall be considered:







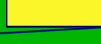

- (1) Whether the existing text or zoning designation was in error at the time of adoption;
- (2) Whether there has been a change of character in the area or throughout the city due to installation of public facilities, other zone changes, new growth trends, deterioration, development transitions, etc.;
- (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 Zoning Administrator and Zoning Board of Appeals shall make recommendations and the City Council shall take final action.

- (1) When the Zoning Board of Appeals or City Council deems it necessary or expedient, additional property in the zoning district may be considered for a zoning change provided that this additional property is also addressed in the public hearing notice, in accordance with § [154.919\(F\)](#).**
- (2) In the event of a written protest against a proposed amendment signed and acknowledged by the owners of 20% of the frontage proposed to be altered or by the owners of 20% of the frontage immediately adjoining or across the alley or rear line therefrom or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered as to such regulations or zoning district and filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds of all of the selected members of the City Council.**



Legend

-  707 Gear
-  Buildings
-  Parcel Boundaries
-  NC District
-  LA District
-  LDR District
-  MDR District
-  HDR District



CITY OF GALENA, ILLINOIS

101 Green Street, Galena, Illinois 61036



CITY OF GALENA, ILLINOIS ZONING BOARD OF APPEALS

REQUEST FOR ZONING MAP AMENDMENT

For Office Use Only	Date Filed <u>2-22-2024</u> Amendment Calendar No. <u>24A-01</u>
	Fee Paid <u>yes</u> Receipt No. <u>1-029500</u> Amount \$ <u>300.00</u> Date <u>2-22-24</u>
	Date Set For Public Hearing <u>3-13-24</u> Date Hearing Held <u>3-13-24</u>
	Date of Published Notice _____ Newspaper <u>Galena Gazette</u>
	Name of Municipality Where Published <u>Galena, IL</u>
	Action by Zoning Board on Amendment Request _____
Comments: _____	

ADDRESS, USE, ZONING, AND DESCRIPTION OF PROPERTY

Address 707 Gear Street

Present Use of Property Residential/VACANT Proposed Use no change

Current Zoning District LA Proposed Zoning District LDR

Historic District? Yes _____ No x

Total area, in square feet, of the subject lot .24 acre 10,454 sq. ft

Floor area of all existing or proposed buildings on the subject lot 374 sq. footprint

DATA ON APPLICANT AND OWNER

Name of Applicant(s) Chris Ehlinger

Address of Applicant(s) 707 Gear St.

Property Interest of Applicant(s) owner

Name of Property Owner(s) same

REASON FOR MAP AMENDMENT REQUEST

NOTE: The following questions must be answered completely. If additional space is needed, please attach extra pages to the application.

1. Please provide a written statement explaining why the property should be rezoned to a different zoning district.

2. Explain why the property is not suitable for zoned purposes. Further development of parcel not permitted w/out Rezone

3. Explain how the proposed use or expansion will contribute to the general welfare of the neighborhood or community. Homeowner can build a detached garage

4. Describe the hardship imposed on you by the current zoning regulations. Can't build garage w/out Rezone.

SUPPLEMENTAL DATA

- 1. Provide photographs showing various pertinent views of the existing site and buildings.
- 2. Provide a map that shows the location of the property in the broad context of the City or neighborhood.
- 3. Provide a site plan to such a scale that all pertinent features are legible, if applicable.
- 4. Provide building, structure, and sign plans to such a scale that all pertinent features are legible, if applicable.
- 5. Identify the general land use, zoning, and any special characteristics of the adjacent properties to the north, south, east, and west.

North: see staff memo

South: _____

East: _____

West: _____

NAMES OF SURROUNDING PROPERTY OWNERS

Following are the names and addresses of surrounding property owners from the property in question for a distance of two-hundred-fifty (250) feet in all directions, and the number of feet occupied by all public roads, streets, alleys, and public ways have been excluded in computing the 250 feet requirement. Said names are as recorded in the office of the County Recorder (or the Registrar of Titles of the County) and as appear from the authentic tax records of this County. If additional space is needed, please attach extra pages.

NAMES	ADDRESS

*Provided
by
GIS*

I (we) certify that all of the above statements and the statements contained in any papers or plans submitted herewith are true to the best of my (our) knowledge and belief.

I (we) consent to the entry in or upon the premises described in this application by any authorized official of the County of Jo Daviess for the purpose of posting, maintaining, and removing notices as may be required by law.



Sue Simmons
Notary Public

Winton Donovan Elyon 2-22-24
(Applicant) (Date)
Winton Donovan Elyon 2-22-24
(Property Owner) (Date)

CITY OF GALENA, ILLINOIS

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



MEMORANDUM

TO: The Zoning Board of Appeals

FROM: Jonathan Miller, Zoning Administrator

DATE: March 7, 2024

RE: Cal. No. 24PDA-01, Owner and Applicant: Chains and Links, Inc., 2955 Red Gates Dr., Galena, IL 61036. Location: Parcel: 22-200-079-06, Galena Square Pt. Lot 6, Galena, Jo Daviess County, Illinois. Common Address is TBD James St., Galena, IL 61036. Request for a Planned Unit Development Amendment to rezone part of lot 6 of the Galena Square PUD from PUD with an underlying zoning district of Planned Commercial/Auto-Oriented to PUD with an underlying zoning district of High Density Residential.

Summary:

The owner/applicant is looking to amend the zoning district on parcels 22-200-079-00 (2.45 acres) and 22-200-079-07 (1.4 acres) from PUD with an underlying zoning district of Planned Commercial (Auto Oriented) to PUD with an underlying zoning district of High Density Residential. The current subject parcels are part of the Galena Square PUD and were developed to be used as an Auto-Oriented land use. At the time of creation of the PUD, such auto-oriented land uses could include such uses as a drive-in restaurant, gas station, or motel. Since the later development of the Galena Square PUD, the land uses in the immediate area of James St. have changed. The owner believes that the zoning on the subject parcels would be best suited as High Density Residential rather than Planned Commercial (Auto Oriented).

The owner/applicant doesn't currently have any plans to develop the site at this time but is looking for the ability to develop in the future as residential, or potentially sell to another developer who would like to develop as residential. If the map amendment is approved, Final PUD approval would be required prior to any development on the proposed site by either the applicant or future developer.

Parcel 22-200-079-07 is currently the location of stormwater detention for much of the Galena Square development and has a utility easement for stormwater and sanitary sewer for the West side of the development. These would potentially need to be relocated for full development of that parcel.

Staff believes that the rezone of the subject parcels would be appropriate and in character with the surrounding land uses directly adjacent to the subject parcels. The parcel on the corner of James St. and Irvine has already been rezoned to HDR, while there are apartment buildings and the two Prestwick apartment buildings on the East side of James St. The Galena Square Veterinary Clinic and Karpinski offices are located directly to the North of the subject parcels. The subject parcels are bordered on the West by Planned Commercial, but at a higher elevation to separate the land uses.

Staff recommends approval of the request for PUD amendment to rezone the subject parcels to PUD with an underlying zoning district of High Density Residential.

Approval Criteria & Recommendation for Map Amendment:

In order to maintain internal consistency within this code and on the zoning map, proposed amendments to the text and zoning map must be consistent with the purposes stated herein.

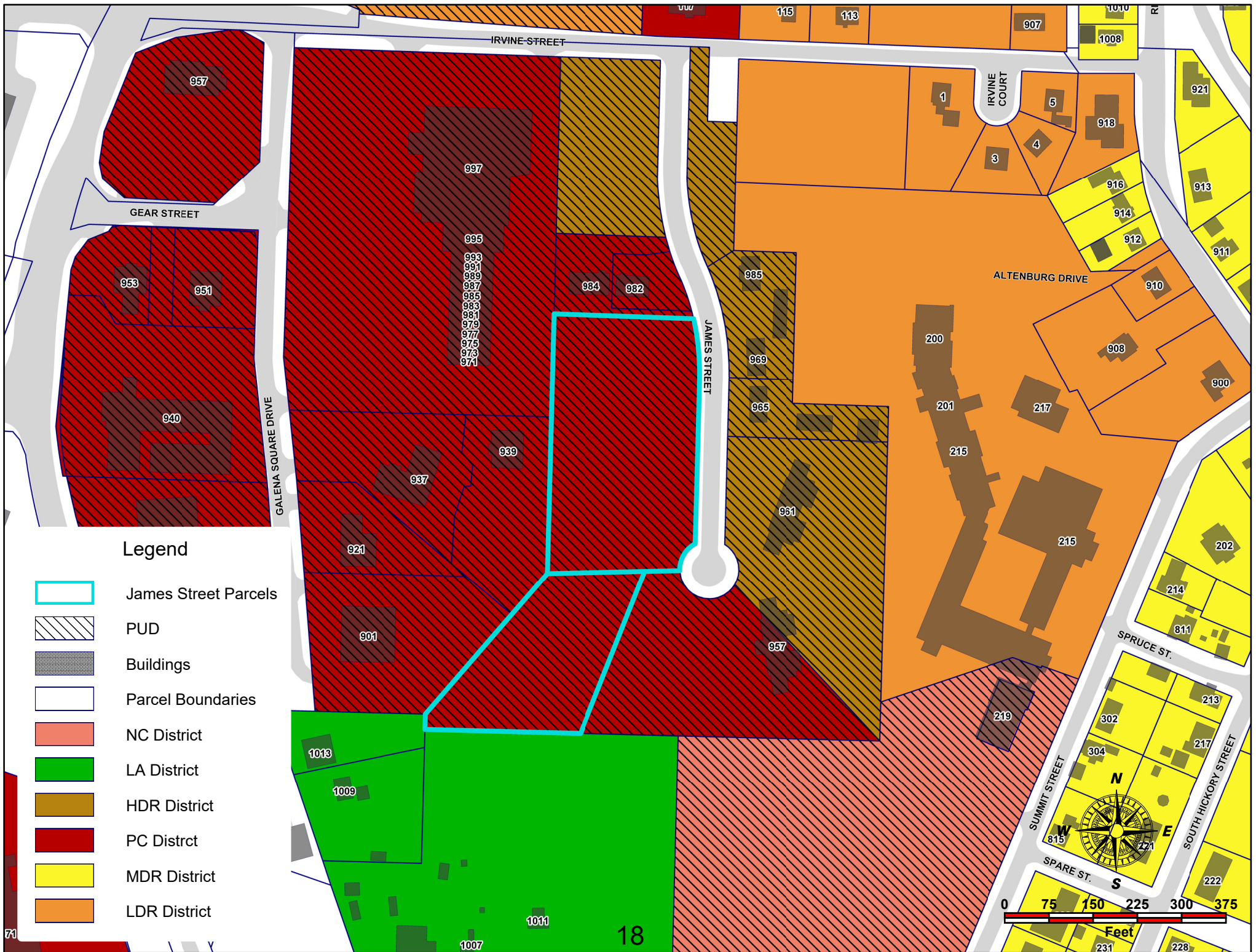
In determining whether the proposed amendment shall be approved, the following factors shall be considered:

1. Whether the existing text or zoning designation was in error at the time of adoption;
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 Zoning Administrator and Zoning Board of Appeals shall make recommendations and the City Council shall take final action.

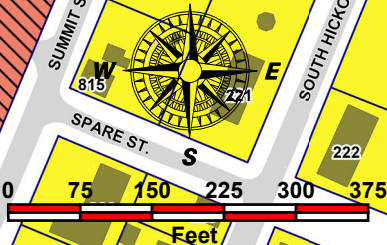
(1) When the Zoning Board of Appeals or City Council deems it necessary or expedient, additional property in the zoning district may be considered for a zoning change provided that this additional property is also addressed in the public hearing notice, in accordance with § [154.919\(F\)](#).

(2) In the event of a written protest against a proposed amendment signed and acknowledged by the owners of 20% of the frontage proposed to be altered or by the owners of 20% of the frontage immediately adjoining or across the alley or rear line therefrom or by the owners of 20% of the frontage directly opposite the frontage proposed to be altered as to such regulations or zoning district and filed with the City Clerk, such amendment shall not be passed except by the favorable vote of two-thirds of all of the selected members of the City Council.



Legend

- James Street Parcels
- PUD
- Buildings
- Parcel Boundaries
- NC District
- LA District
- HDR District
- PC District
- MDR District
- LDR District





CITY OF GALENA, ILLINOIS



Application for Planned Development

Name of Applicant: Connie Wiener

Name of Property Owner (if different from applicant): Chains & Links, Inc.

Address of Property: James St. Galena IL 61036
City State Zip

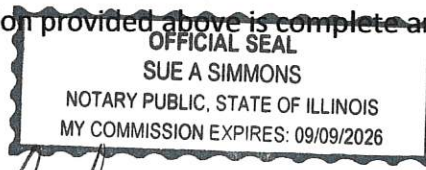
Current and proposed use of property: Current - auto oriented
Proposed - High Density Residential

Within Historic District?: Yes No

Please Note: Provide all plats, site plans, and other pertinent information as may be required by the Zoning Ordinance or the Zoning Administrator.

Provide the names and addresses of surrounding property owners from the property in question for a distance of two-hundred-fifty (250) feet in all directions. Please exclude the number of feet occupied by all public roads, streets, alleys, and public ways in computing the 250 feet requirement.

I certify that all the information provided above is complete and correct to the best of my knowledge and belief.



Connie Wiener 2-16-24
Applicant's Signature Date

Sue A. Simmons 2-16-24 09/09/2026
Notary's Signature Date Commission Expiration

City of Galena Use Only

Date Filed: 2-20-24 Site Visit?: Yes No If yes, date: _____

Fee Paid: \$700 Receipt #: 1029515 Amount: \$ 700 - Date: 2-20-24

Date set for public hearing: 3-13-24 Date hearing held: same Date of published notice: 2-28-24

Newspaper: Galena Gazette Name of municipality where published: Galena, IL

Action by City Council on request: _____

Comments: _____

CITY OF GALENA, ILLINOIS

101 Green Street, Galena, Illinois 61036



CITY OF GALENA, ILLINOIS ZONING BOARD OF APPEALS

REQUEST FOR ZONING MAP AMENDMENT

For Office Use Only	Date Filed <u>2/20/24</u> Amendment Calendar No. <u>24PDA-01</u>
	Fee Paid <input checked="" type="checkbox"/> Receipt No. <u>1029515</u> Amount \$ <u>700</u> Date <u>2-20-24</u>
	Date Set For Public Hearing <u>3-13-24</u> Date Hearing Held <u>3-13-24</u>
	Date of Published Notice <u>2-28-24</u> Newspaper <u>Galena Gazette</u>
	Name of Municipality Where Published <u>Galena, IL</u>
	Action by Zoning Board on Amendment Request _____
	Comments: _____

ADDRESS, USE, ZONING, AND DESCRIPTION OF PROPERTY

Address James St., Galena IL 61036

Present Use of Property Vacant Proposed Use High Density Residential

Current Zoning District Auto oriented Proposed Zoning District High Density Residential

Historic District? Yes _____ No

Total area, in square feet, of the subject lot Parcels #22-200-079-06 & #22-200-079-07

Floor area of all existing or proposed buildings on the subject lot _____

DATA ON APPLICANT AND OWNER

Name of Applicant(s) Connie Wienen

Address of Applicant(s) 2955 Red Gates Dr., Galena IL 61036

Property Interest of Applicant(s) Owner

Name of Property Owner(s) Chains & Links, Inc.

REASON FOR MAP AMENDMENT REQUEST

NOTE: The following questions must be answered completely. If additional space is needed, please attach extra pages to the application.

1. Please provide a written statement explaining why the property should be rezoned to a different zoning district.

This property seems better suited to residential vs business.
2. Explain why the property is not suitable for zoned purposes. _____

Property would be suitable for auto-oriented but it seems better suited for high density residential. _____

3. Explain how the proposed use or expansion will contribute to the general welfare of the neighborhood or community. There is a housing need. This site seems like a good fit to expand on housing and residential needs.

4. Describe the hardship imposed on you by the current zoning regulations. There is no hardship currently. Changing these parcels to high density residential seems like a good way for the City to recommend additional places for residential development, whether by us or another developer. The property is currently for sale.

SUPPLEMENTAL DATA

- 1. Provide photographs showing various pertinent views of the existing site and buildings.
- 2. Provide a map that shows the location of the property in the broad context of the City or neighborhood.
- 3. Provide a site plan to such a scale that all pertinent features are legible, if applicable.
- 4. Provide building, structure, and sign plans to such a scale that all pertinent features are legible, if applicable.
- 5. Identify the general land use, zoning, and any special characteristics of the adjacent properties to the north, south, east, and west.

North: _____

South: _____

East: East of James St. is apartments & housing

West: West of James St. is "Galena Square" businesses

- effective after due date of 1 1/2% per
 - added at a rate of 1 1/2% per
 - following each due
 - he considered

970020

JO DAVIESS COUNTY REAL ESTATE TAX BILL

JO DAVIESS COUNTY COLLECTOR
MELISA HAMMER
 330 N. BENCH STREET / ROOM 120
 GALENA, IL 61036
 PHONE: (815) 777-0355

11608

1ST INSTALLMENT DUE DATE	06/01/2023	2ND INSTALLMENT DUE DATE	09/01/2023	
AMOUNT	\$44.31	AMOUNT	\$44.31	TOWNSHIP WEST GALENA
BACK TAXES	\$0.00	PENALTIES		ACREAGE 2.45
TOTAL PAID		TOTAL PAID		TAX CODE 22003

DESCRIPTION
 GALENA SQUARE
 PT. LOT 6

 ASSESSED TO: CHAINS & LINKS INC,

MAIL TO:
 CHAINS & LINKS INC
 2955 RED GATES DR
 GALENA IL 61036-

Registration Code #: 988660

2021 TAX AMOUNTS	TAXING BODIES	TAX RATE	2022 TAX AMOUNTS	PENSION
\$9.12	JO DAVIESS COUNTY	0.84499	\$8.99	\$1.18
\$5.94	HIGHLAND COLLEGE #519	0.55656	\$5.91	\$0.08
\$53.42	GALENA #120	4.95214	\$52.59	\$1.71
\$2.44	GALENA LIBRARY	0.22166	\$2.35	\$0.12
\$1.06	SPEC SERVICE #6	0.09319	\$0.99	\$0.00
\$2.66	WEST GALENA TWP	0.24009	\$2.55	\$0.01
\$1.67	WEST GALENA ROAD	0.15074	\$1.60	\$0.02
\$14.81	CITY OF GALENA	1.28470	\$13.64	\$1.36
\$91.12	*TOTALS*	8.34407	\$88.62	\$4.48

PLEASE FORWARD TO YOUR MORTGAGE COMPANY IF APPLICABLE

TAX YEAR: **2022**

PARCEL NUMBER: **22-200-079-06**

FORMULATION FOR TAX CALCULATION

1977 E.A VALUE	100
STF BASE VALUE	0
FAIR CASH VALUE	3,190
LAND VALUE	1,062
BUILDING VALUE	0
TOTAL VALUE	1,062
HOME IMP/VET EXEM -	0
STATE MULTIPLIER X	1.0000
EAV. =	1,062
SENIOR TAX EX FRAT ASSMT FR -	0
OWNER OCCUP EXEM -	0
SENIOR CITIZEN EX -	0
DISABLED VET / PERSON RETURNING VET -	0
FARM LAND VALUE +	0
FARM BLDG VALUE +	0
NET TAXABLE VALUE =	1,062
TAX RATE X	8.34407
TOTAL 2022 TAX	\$88.62
FORFEITED TAX	\$0.00
TOTAL AMOUNT DUE =	\$88.62

110020

Interest is effective after due date - the first day following each due date - a month shall be considered before the due date

2022 JO DAVIESS COUNTY REAL ESTATE TAX BILL

**JO DAVIESS COUNTY COLLECTOR
MELISA HAMMER**
330 N. BENCH STREET / ROOM 120
GALENA, IL 61036
PHONE: (815) 777-0355

11809

1ST INSTALLMENT DUE DATE	06/01/2023	2ND INSTALLMENT DUE DATE	09/01/2023	
AMOUNT	\$25.33	AMOUNT	\$25.33	TOWNSHIP WEST GALENA
BACK TAXES	\$0.00	PENALTIES		ACREAGE 1.40
TOTAL PAID		TOTAL PAID		TAX CODE 22003

TAX YEAR: **2022**
PARCEL NUMBER: **22-200-079-07**

DESCRIPTION:
GALENA SQUARE
PT LOT 7

ASSESSED TO: CHAINS & LINKS INC,

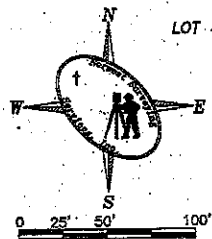
MAIL TO:
CHAINS & LINKS INC
2955 RED GATES DR
GALENA IL 61036-

**Registration
Code #: 988660**

FORMULATION FOR TAX CALCULATION	
1977 E.A VALUE	100
STF BASE VALUE	0
FAIR CASH VALUE	1,820
LAND VALUE	607
BUILDING VALUE	0
TOTAL VALUE	607
HOME IMP/VET EXEM -	0
STATE MULTIPLIER X	1.0000
EAV =	607
SENIOR TAX EX FRAT ASSMT FR -	0
OWNER OCCUP EXEM -	0
SENIOR CITIZEN EX -	0
DISABLED VET / PERSON RETURNING VET -	0
FARM LAND VALUE +	0
FARM BLDG VALUE +	0
NET TAXABLE VALUE =	607
TAX RATE X	8.34407
TOTAL 2022 TAX	\$50.66
FORFEITED TAX	\$0.00
TOTAL AMOUNT DUE =	\$50.66

2021 TAX AMOUNTS	TAXING BODIES	TAX RATE	2022 TAX AMOUNTS	PENSION
\$5.21	JO DAVIESS COUNTY	0.84499	\$5.13	\$0.67
\$3.40	HIGHLAND COLLEGE #519	0.55656	\$3.38	\$0.05
\$30.53	GALENA #120	4.95214	\$30.06	\$0.98
\$1.40	GALENA LIBRARY	0.22166	\$1.35	\$0.07
\$0.61	SPEC SERVICE #6	0.09319	\$0.57	\$0.00
\$1.52	WEST GALENA TWP	0.24009	\$1.46	\$0.01
\$0.95	WEST GALENA ROAD	0.15074	\$0.91	\$0.01
\$8.46	CITY OF GALENA	1.28470	\$7.80	\$0.78
\$52.08	*TOTALS*	8.34407	\$50.66	\$2.57

PLEASE FORWARD TO YOUR MORTGAGE COMPANY IF APPLICABLE



SCALE: 1"=50'
 P.I.N. 22-200-078-06
 P.I.N. 22-200-079-07
 JAMES STREET
 GALENA, IL. 61036
TOTAL AREA
3.851 ACRES

"GALENA SQUARE"
 P.M. C. 388

LOT 6

TOTAL AREA
 3.851 ACRES

LOT 7

LOT 9

LOT 8

LOT 2

LOT 3

LOT 4

P.O.B.

DOC. NO. 372584
 (88.00')

(172)
 (227.69')

(128.69')

(30.00')

(108.00')

(128.69')

(237.08')

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LEGEND

—	BOUNDARY OF SURVEY
•	MONUMENT FOUND
○	STONE FOUND
○	SET 5/8" PIN W/CAP
○	CHEELED "X"
—	SECTION LINE
—	RIGHT OF WAY LINE
—	FEWEL LINE
—	BUILDING SETBACK
—	UTILITY EASEMENT
—	DEED/PLAT DIMENSION

NOTE: BEARINGS ARE ASSUMED.

PLAT OF SURVEY

Of Property Described As Part of Lots 6 & 7 of "Galena Square", a subdivision of part of the Southwest Quarter (SW 1/4) of Section 13 in Township 28 North (28N), Range 1 West (R1W) of the Fourth Principal Meridian (4th PM), City of Galena, Jo Daviess County, Illinois, according to the plat thereof recorded in Plan Hold F, No. 388 in the Office of the Jo Daviess County Recorder, bounded and described as follows, to-wit:

Beginning at the Southwest corner of said Lot 7; thence South 87 Degrees 31 Minutes 03 Seconds East, along the South line thereof, a distance of 261.25 feet to the Southwest corner of the property described on the deed recorded as Document No. 297124 in said Office of the Jo Daviess County Recorder; thence North 21 Degrees 40 Minutes 31 Seconds East, along the West line thereof, a distance of 300.46 feet (300.27 feet deleted) to the South line of said Lot 6; thence North 88 Degrees 41 Minutes 14 Seconds East, along said South line, a distance of 60.00 feet to the Westerly line of the James Street cut-to-go; thence Northeasterly, along said cut-to-go, being an arc of a curve concave Southeasterly, having a radius of 50.00 feet and whose chord bears North 30 Degrees 05 Minutes 05 Seconds East, an arc distance of 54.50 feet (52.23 feet plotted); thence North 01 Degree 28 Minutes 57 Seconds East, along the West line of said James Street, a distance of 276.42 feet; thence Northerly, along said Westerly line, being an arc of a curve concave Westerly, having a radius of 400.00 feet and whose chord bears North 05 Degree 52 Minutes 31 Seconds West, an arc distance of 102.81 feet to the Southeast corner of the property described on the deed recorded as Document No. 372554 in said Office of the Jo Daviess County Recorder; thence North 87 Degree 59 Minutes 20 Seconds West, along the South line thereof, a distance of 238.23 feet (237.08 feet deleted) to the West line of said Lot 6; thence South 01 Degree 31 Minutes 13 Seconds West, along said West line, a distance of 440.00 feet to the Northwest corner of said Lot 7; thence South 40 Degree 53 Minutes 07 Seconds West, along the Northwesterly line thereof, a distance of 315.58 feet (315.32 feet plotted); thence South 01 Degree 10 Minutes 16 Seconds West, along the West line of said Lot 7, a distance of 25.54 feet (25.74 feet plotted) to the Point of Beginning;

Containing 3.851 acres more or less.

SURVEYOR'S REPORT

This plat represents an original boundary survey of the property described herein and conforms to the current Illinois Minimum Standards for a Boundary Survey. This Survey was done by me or under my direct supervision, at the request of Tom Wierman of Galena, Illinois.

All monuments exist as shown herein. Bearings are in Degrees, Minutes and Seconds and are referenced to an assumed datum. Distances are in feet and decimals thereof.

All structural or utility improvements, surface and subsurface, on and adjacent to the site are not necessarily shown. Right-of-Way lines shown herein are a graphic representation only and may not depict the actual location of the public easement.

This Survey includes no investigation or independent search for assessments of record, encumbrances, deed restrictions, restrictive covenants, ownership, title evidence, or any other facts which an accurate and current title search may disclose.

No warranty is expressed or implied as to compliance with 78BLS-205/1b of the Illinois Compiled Statutes, or local requirements.

Dated this 22nd day of October 2019 C.E.

William E. Holt
 Illinois Professional Land Surveyor
 No. 35-2584
 License Renewal November 30, 2020 C.E.



NORWEST SURVEYING SERVICES, INC.
 PROFESSIONAL LAND SURVEYORS & LAND PLANNERS

301 WEST LINCOLN
 MORRISON, ILLINOIS 62250
 PHONE (618) 775-7179

SURVEYED BY JUN, A.J.H.	FIELD WORK COMPLETED 10-21-19	LOG NO. 2019237	DRAWN BY VEH
BOOK NO. 250-69	PLAT NO. 2019237	DATE FILED 2019237	ISSUANCE DATE 22 OCT 19
REVISION UNITS	CHECKED BY	SCALE 1"=50'	

PROJECT: **GALENA PARCEL SURVEY**
 TITLE: **CHAINS & LINKS, LLC**