

Planning & Zoning Commission
Special Meeting-Proceedings and Minutes
Diamond, Illinois

August 10, 2015

Proceedings and Recommendations made and ordered of record of said Commission in the Village Of Diamond, State of Illinois, on the tenth day of August, 2015.

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The special meeting of the Planning & Zoning Commission was held on Monday, August 10th, 2015, and called to order at 6:00 P.M., in the Conference Room of the Village Hall, Chair Mark Adair presiding. Upon Roll Call, present were Craig VanDuyne, Bob Bianchetta and Lori Bonarek. Roll Call was called by Cindy Haywood, Secretary.

PUBLIC HEARING

PZ-03-2015: 1395 E. Division Street (Kubina) Variation

MOTION was made by Commissioner Bonarek **SECOND** by Commissioner VanDuyne to open public hearing PZ-03-2015: 1395 E. Division Street (Kubina). **All Ayes, Motion Carried.**

Mr. Evan Kubina stated that he would like to construct an addition to his detached garage in order to store his RV. He explained that a 10'x10' door is needed in order for the RV to fit, making the height of the building exceed the 15 foot maximum allowed. Mr. Kubina added that the attic storage shown on the print will allow him to save on costs associated with an off-site storage unit. It is his goal to build property equity and eventually add onto the house as well.

Mr. Kubina referred to the pictures presented to the Commission and stated that the lot is 2 acres and there are many existing 30'+ tall trees on the property that will shield the addition from view. He said that he feels his property is unique from other residential properties due to its size. Mr. Kubina referred to the elevation plan and added that he is altering the roof line of the existing garage to match the proposed addition to make it more aesthetically appealing.

The Commission discussed the height of the proposed building being 18 feet measured at the mean height, rather than the 15 feet permitted. Chairman Adair appreciated the petitioner's efforts on the use of materials and design of the structure. It was noted that the addition will not have electric.

There was no public comment.

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner VanDuyne to close public hearing PZ-03-2015: 1395 E. Division Street (Kubina). **All Ayes, Motion Carried.**

NEW BUSINESS

Consideration of PZ-03-2015: Variance – 1395 E. Division Street

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner VanDuyne to recommend to the Village Board approval of Case PZ 03-2015: a request for variation of Section 3.13.4 of the Village of Diamond Zoning Ordinance to permit an accessory building to exceed the maximum allowable height of 15 feet for the property commonly known as 1395 E. Division Street, Diamond, Illinois.

Also, including and based on the following findings with respect to the requested variation:

1. The variance will not alter the essential character of the locality.
2. The particular physical surroundings, shape or topographical conditions of the property involved will bring a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were to be carried out.
3. The purpose of the variance is not based exclusively upon a desire to make more money out of the property.
4. The alleged difficulty or hardship has not been created by any person presently having an interest in the property.
5. The granting of the variance will not be detrimental to the public welfare or unduly injurious to other property or improvements in the neighborhood in which the property is located.
6. The requested variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the damage of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood.

All Ayes, Motion Carried.

Consider request for variation from Subdivision Ordinance to waive requirement for preliminary & final plat (Wunderlich)

Village Attorney John Gallo stated that the Subdivision Ordinance requires that any division of property requires a preliminary and final plat and that the applicant (owners of the Wunderlich property located along the south side of Route 113, immediately west of I55) are requesting a variation of this requirement. He added that a public hearing is not needed, only recommendation to the Village Board. The large parcel is primarily vacant with the exception of the TD Petes Gas Station. This piece was previously carved out in order to have the remainder be included in the TIF District. TD Petes previously leased the land and have now purchased it. It is the applicant's intention to create 2 separate PINs. The Illinois Plat Act allows for such division, but requires sign off from the Village. Attorney Gallo stated that there would be no negative impact on the Village permitting this and there is no intention to make any change to the property at this time. If they decide to develop in the future, the applicant is aware that they will have to comply with the Subdivision Ordinance regulations.

MOTION was made by Commissioner Bianchetta and **SECOND** by Commissioner Bonarek to recommend to the Village Board to approve a request for variation of the Village of Diamond Subdivision Ordinance to waive the requirement of preliminary and final plat for the division of property into 2 parcels, subject to the following condition that any development of the property will require subdivision of the land in accordance with the Subdivision Ordinance and any other applicable ordinances for the property commonly known as the Wunderlich property. **All Ayes, Motion Carried.**

OLD BUSINESS

No discussion or consideration.

VILLAGE LEGAL COUNSEL

Attorney Gallo informed the Commission that the Village Board approved the Zoning Ordinance and Comprehensive Plan updates and provided a brief overview of the Enterprise Zone the Village is seeking.

BOARD MEMBERS OPEN FORUM

There were no comments.

PUBLIC COMMENT

There were no comments.

ADJOURNMENT

The Commission determined there were no further matters for discussion. **MOTION** was made by Commissioner Bianchetta and **SECOND** by Commissioner VanDuyne to adjourn at 6:43 P.M. **ALL AYES, MOTION CARRIED.**

Respectfully Submitted,

/s/ Cindy Haywood

**Cindy Haywood
Planning & Zoning Secretary**