

**SPECIAL
PLANNING AND ZONING COMMISSION
Tuesday, September 1, 2015
5:30P.M. – COUNCIL CHAMBERS**

Members Present: Rick Turnroth, Don Koehler, Chuck Koehler, Rich Fassig, Alderman George Logan, Jr. , Mark Vandersnick, Mark Searing – Building Inspector, and Sylvia Frey

Members Absent: Terry Wolf, Tony Sosi, Randy Balk – RFCDC, Robbin Blackert – City Administrator, Mayor William Wescott.

Attendees: Phillip McDermott – petitioner, Joel Horn – Whiteside County, Aldermen Rod Kleckler and Glen Kuhlemier, Eric Arduini – City Clerk and Pam Eggemier - SVM

Roll Call was made. Quorum was met and official business could be conducted.

Public Hearing – Variance Request – Building Setbacks (Property Owner – Philip McDermott) 1805 Industrial Park Road: Chairman Charles Koehler opened the Public Hearing at 5:34pm. Chairman asked Philip McDermott, the petitioner, to present his request. Philip McDermott stated he's asking for this variance in building setbacks as he is working on a possible land sale with adjacent business owner for future truck access. In order to provide this access, his building will have to be moved with a 15' front/back setback along with a 2' side yard setback. Philip stated this variance is needed to complete the sale between the two parties. He also stated he has worked on getting this project finalized over a long period of time and has incurred unexpected costs in doing so.

Chairman Koehler asked if all publication notices/mailings have been completed and are in order at this time. Sylvia confirmed same.

Chairman Koehler asked if P&Z members had any questions. No specific questions asked.

Chairman Koehler asked if there were any objectors who would like to question the petitioner. Joel Horn asked if this variance in setbacks would encroach on the county's property so that any further expansions would not be available. Mark Searing assured Joel Horn that if the setback variance is needed, no encroachment would be made to the county's property in the future. Joel Horn was satisfied with this information and rescinded his objection.

Chairman Koehler asked if P&Z members had any questions for the objector. No specific questions were asked.

There were no written communications presented. There were no rebuttals made by the petitioner or objector. Discussion was held among the P&Z members. Members gave no specific objection to this request. Mark stated storm water retention plans are being worked out along with establishing easements on this property. Mark Searing suggested if this land sale deal is finalized then variance would be needed but if land sale deal is not finalized then no variance would be needed. Members understood the situation as presented.

Chairman Koehler asked the members to confirm the 3 conditions required to approve a variance request. Members confirmed as follows: 1) That there are exceptional or extraordinary circumstances or conditions applying to the property in question or to the intended use of the property that do not apply generally to other properties or class of uses in the same zoning district; 2) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the same zoning district and in the vicinity and 3) The authorizing of such variance will not be of substantial detriment to adjacent property and will not materially impair the purposes of this chapter or the public interest.

Mark Searing stated one of the adjacent owners, Vernon Workman, had contacted him regarding this request. Once Mark explained the variance request, Mr. Workman had no objection to this request.

Motion was made by Rich Fassig to approve variance request as presented with the understanding that if there is no land sale deal, the building will revert back to the original required M-2 zoning setbacks of 8' for the side yard and front/back setbacks; seconded by Mark Vandersnick. Vote Tally: Chairman Charles Koehler (yes), Rick Turnroth (yes), Don Koehler (yes), Mark Vandersnick (yes), Alderman George Logan Jr (yes) and Rich Fassig (yes). All – approved - motion carried.

Motion to close Public Hearing was made by Mark Vandersnick, seconded by Don Koehler at 5:50pm. Motion carried.

Meeting stands adjourned per Chairman Koehler. Next meeting will be October 8, 2015.

Respectfully submitted,

Chairman Chuck Koehler