



City of Highland

Department of Community Development Building Division

City of Highland
Combined Planning and Zoning Board
Minutes of the December 1, 2010 meeting

Chairperson Korte called the meeting to order at 7:00 p.m. Members present were Gallatin, Lodes, Painter, Vance, and Korte. Voegele and Koehnemann were absent. Also present were City Attorney Long, Recording Secretary Walter, and three citizens.

Minutes

The minutes of the November 3, 2010 meeting were approved with one correction. Under Public Comments, the second sentence beginning "Having received no comments Chairperson Korte..." should read "Acting Chairperson Gallatin..."

Public Comment

Chairperson Korte opened the Public Comment section advising the audience this is only for non-agenda items. Having received no comments Chairperson Korte closed the Public Comment Session. Korte swore in all attendees wishing to speak during the Public Hearing session.

Public Hearing

Chairperson Korte opened the Public Hearing for a Special Use permit request to allow a Used Car lot at 1712 Broadway Highland IL. The petitioner Matthew Zajac, 5971 Fairview Road Pocahontas IL, owner of Affordable Auto Sales, was in attendance to answer any questions. Korte explained per the Municipal Zoning Code a special use is required for a used car lot in the C2 zoning classification. This is a renewal of the Special Use granted March 15, 2010. Korte read the City's recommendation that this be approved as a Perpetual Special Use. There have been no concerns from neighbors, Zajac keeps the property well maintained and there have been no ordinance violations. Mr. Zajac stated that business was slow in the beginning but is picking up and he wishes to continue the business. He also requested that he be allowed to increase the number of cars from the allowed 30, to 50 cars. Lodes questioned how many cars he has now. Zajac stated he has 30 outside and 2 stored inside the building. Per the current Special Use permit he is allowed 30 cars parked outside at any one time and there is to be no increase in exterior lighting so as not to create a problem for the neighbors. Attorney Long expressed a concern that Zajac is requesting an increase in the number of cars without indicating the request on the submitted Special Use application and proper notice not given to the neighbors stating such. Painter said the notification is a mute point since the original special use notification did not state the number of cars. Lodes indicated that this is a renewal and the stipulations

were placed on the original permit by the Board. Zajac stated he would withdraw his request to increase the number of cars in favor of a Perpetual Special Use.

Tom Hill, 1733 Broadway Highland IL stated he is in favor of Mr. Zajac continuing his business as it is currently set up but he would have a concern with an increase in vehicles. Hill also commented that the city needs to address the zoning code as it pertains to the Planned Unit Development criteria. Korte stated city staff is in the process of bringing information to the Board to amend various sections of the code. These recommendations will begin within the next few months.

Hearing no further comments Korte closed the Public Hearing. Korte reiterated the City recommends approval of a Perpetual Special Use Permit with no stipulations. Motion made by Painter to recommend approval of a Perpetual Special Use Permit. Seconded by Vance. Korte entertained discussion on the matter. Both Korte and Lodes expressed concern that the original stipulations should remain if this is to be a Perpetual Special Use. Painter asked if Zajac would still have the option to come back before the board at a later time to request an increase in the number of vehicles. Attorney Long stated he would still have that option. Painter amended his original motion to include the current stipulations on the Perpetual Special Use permit. Seconded by Vance. Hearing nothing further Korte closed the discussion. Roll call taken. All voted yes. Motion carried.

Korte advised the audience this petition would be on the December 20, 2010 Council agenda for final approval.

Adjournment at 7:21 p.m.