



City of Highland

Building and Zoning

Combined Planning & Zoning Board Meeting Minutes

City Hall – 1115 Broadway

June 5, 2019 7:00 P.M.

1. Call to Order – **7PM**

2. Roll Call

CPZB Members – Present – Chairperson Brad Korte, Jim Gallatin, Deanna Harlan, Bill Koehnemann, Anthony Walker, and Shirley Lodes

Absent – Bob Vance

Staff – Breann Speraneo, Mike McGinley, Scott Hanson and Kim Kilcauski

3. General Business:

Approval of the May 1, 2019 Minutes

Motion to approve the minutes without changes made by Deanna Harlan, seconded by Jim Gallatin – 6 Ayes, 0 Nays. Motion carried.

4. Public Comment Section

Persons who wish to address the Combined Planning and Zoning Board regarding items not on the agenda may do so at this time. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney. Any presentation is for informational purposes only. No action will be taken.

Chairperson Korte opened the Public Comment Section. There were no comments from those in attendance. The Public Comment Section was closed.

5. Public Hearings and Items Listed on the Agenda

Persons wishing to address the Combined Planning and Zoning Board regarding items on the agenda may do so after the Chairperson opens the agenda item for public hearing or for public comment. Speakers shall be limited to five (5) minutes or a reasonable amount of time as determined by the City Attorney.

Chairperson Korte reviewed the process. There were two people in the audience. All people wishing to speak were sworn in.

6. New Business

- a. Carol Hustedde of 10 N. 7th Street, Breese, IL is requesting a variance to Section 90-129 of the City of Highland Municipal Code to allow a zero lot line in order to convert an existing condominium duplex to a villa located at 120 Sunbeam Drive, Unit A. (PIN #01-2-24-04-08-201-009)



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- b. Carol Hustedde of 10 N. 7th Street, Breese, IL is requesting a variance to Section 90-129 of the City of Highland Municipal Code to increase the maximum lot coverage for the R-2-A zoning classification from 30% to 31.0% in order to convert an existing condominium duplex to villa located at 120 Sunbeam Drive, Unit A. (PIN #01-2-24-04-08-201-009)
- c. Carol Hustedde of 10 N. 7th Street, Breese, IL is requesting a variance to Section 90-129 of the City of Highland Municipal Code to allow a zero lot line in order to convert an existing condominium duplex to a villa located at 120 Sunbeam Drive, Unit B. (PIN #01-2-24-04-08-201-009)

Chairperson Korte opened the public hearing and asked that items A, B and C be presented and then a motion would be needed on each item. Breann Speraneo presented items A, B and C, which included standards for review. Chairperson Korte asked if there were any questions. With no questions, Chairperson Korte closed the hearing and asked if there were further comments from staff or questions from the board. Hearing no further questions, Chairperson Korte closed the discussion.

Motion to approve item A made by Anthony Walker, seconded by Deanna Harlan – 6 Ayes, 0 nays. Motion carried.

Motion to approve item B made by Deanna Harlan, seconded by Anthony Walker – 6 Ayes, 0 nays. Motion carried.

Motion to approve item C made by Jim Gallatin, seconded by Shirley Lodes – 6 Ayes, 0 nays. Motion carried.

- d. Carol Hustedde of 10 N. 7th Street, Breese, IL is requesting a variance to Section 90-129 of the City of Highland Municipal Code to allow a zero lot line in order to convert an existing condominium duplex to a villa located at 140 Sunbeam Drive, Unit A. (PIN #01-2-24-04-08-201-011)
- e. Carol Hustedde of 10 N. 7th Street, Breese, IL is requesting a variance to Section 90-129 of the City of Highland Municipal Code to increase the maximum lot coverage for the R-2-A zoning classification from 30% to 30.9% in order to convert an existing condominium duplex to villa located at 140 Sunbeam Drive, Unit A. (PIN #01-2-24-04-08-201-011)
- f. Carol Hustedde of 10 N. 7th Street, Breese, IL is requesting a variance to Section 90-129 of the City of Highland Municipal Code to allow a zero lot line in order to convert an existing condominium duplex to a villa located at 140 Sunbeam Drive, Unit B. (PIN #01-2-24-04-08-201-011)

Chairperson Korte opened the public hearing and asked that items D, E and F be presented and then a motion would be needed on each item. Breann Speraneo presented items D, E and F, which included standards for review. Chairperson Korte asked if there were any questions. With no questions,



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Chairperson Korte closed the hearing and asked if there were further comments from staff or questions from the board. Hearing no further questions, Chairperson Korte closed the discussion.

Motion to approve item D made by Deanna Harlan, seconded by Anthony Walker – 6 Ayes, 0 nays. Motion carried.

Motion to approve item E made by Bill Koehnemann, seconded by Deanna Harlan – 6 Ayes, 0 nays. Motion carried.

Motion to approve item F made by Deanna Harlan, seconded by Bill Koehnemann – 6 Ayes, 0 nays. Motion carried.

- g. Zach Bickline of 35 Golden Rock Lane, Highland, IL is requesting a variance to Section 90-208(c) of the City of Highland Municipal Code to increase the maximum height requirement of a fence in a front yard area on a lot with multiple street frontages from 30 inches to five feet at 35 Golden Rock Lane. (PIN #02-2-18-20-20-401-020)

Chairperson Korte opened the public hearing for item G. Breann Speraneo presented the information, which included standards for review. 35 Golden Rock Lane is a corner lot having two front yards causing the need for a variance. The property owner, Zach Bickline, addressed the board. He said that they have dogs and plan on having children. The planned fence would 5' in height. Their fence would not be right up to the neighbor's fence so they will be able to maintain the grass between the two. Chairperson Korte asked for a measurement. Zach Bickline said the width between the fences would be a minimum of 24" or the width of a manhole cover by the fence, whichever is larger. Chairperson Korte asked the planned distance from the sidewalk to the fence. Zach Bickline stated the fence would be even with the neighbor's fence. Zach Bickline stated that the neighbor is currently able to mow between his fence and the sidewalk with a riding lawnmower. Scott Hanson added that typically the distance between a fence and sidewalk is at least 12". Chairperson Korte asked if there were any questions. With no questions, Chairperson Korte closed the hearing and asked if there were further comments from staff or questions from the board. Jim Gallatin asked the style of fence. Zach Bickline said it will be an aluminum fence. Hearing no further questions, Chairperson Korte closed the discussion.

Motion to approve variance made Deanna Harlan, seconded by Anthony Walker. – 6 Ayes, 0 Nays. Motion carried.

Motion to amend original motion to read the fence at 35 Golden Rock Lane be at least 24" or the width of manhole, whichever is greater, from fence on east and in line with south fence made by Bill Koehnemann, seconded by Shirley Lodes – 6 Ayes, 0 Nays. Motion carried.

Vote on motion as amended – 6 Ayes, 0 Nays. Motion carried.



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- h. The City of Highland (1115 Broadway) is requesting a text amendment to The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article I “In General,” Section 90-15. – Definitions of the Zoning Code to amend the definition of “accessory use” and “accessory building.”

Scott Hanson presented the text amendment updates. Chairperson Korte stated that he has an accessory structure on property along the street, because his property is surrounded on three sides by streets. Scott Hanson said a variance would still be needed. Anthony Walker said that he technically has a garage in his front yard. Scott Hanson advised that he expects a more consistent setbacks for garages. Discussion on setbacks and variances continued. Deanna Harlan asked if the easement can be part of the setback. Scott responded that it could.

Discussion on whether or not to include commercial structures. Final outcome no changes.

Motion to approve the text amendment made by Shirley Lodes, seconded by Deanna Harlan.

Motion to amend the proposed text amendment to be in compliance with section 90-228 made by Deanna Harlan, seconded by Jim Gallatin – 6 Ayes, 0 Nays. Motion carried.

Vote on motion as amended – 6 Ayes, 0 Nays. Motion carried.

- i. The City of Highland (1115 Broadway) is requesting a text amendment to The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article I “In General,” Section 90-15. – Definitions of the Zoning Code to amend the definition of “accessory use” and “accessory structure.”

Item I is a duplicate of Item H.

- j. The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article II “Administration and Enforcement,” Section 90-73. – Accessory Uses of the Zoning Code to amend the required side setback for accessory uses.

Motion to approve the text amendment made by Deanna Harlan, seconded by Shirley Lodes.

Motion to amend to include changes as presented by staff in the handout at the 6/5/19 CPZB meeting, the staff report shall also be included in the packet presented to council, made by Shirley Lodes, seconded by Anthony Walker – 6 Ayes, 0 Nays. Motion carried.

Vote on motion as amended – 6 Ayes, 0 Nays. Motion carried.



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- k. The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article VIII "Signs," Division 3, Section 90-263 of the Zoning Code to regulate the use of feather flags.

Breann Speraneo presented the text amendment regarding feather flags. The definition has not changed.

Original proposal included two flags per lot, but there may be more than one business per business per lot so "lot" was changed to "business". Maximum height of 12' stayed the same. Currently, there are 19 other allowed signs.

Discussion continued regarding the allowance of two feather flags per business. Chairperson Korte went on record as saying that feather flags should not be allowed. Deanna Harlan made a suggestion of one feather flag per business. Breann Speraneo said many cities use a special permit and allow feathered flags a couple of times a year, which is what the original proposal included.

Anthony Walker asked if the city would have the right to pull tattered or weathered feathered flags. He did not see any maintenance mentioned. Breann Speraneo responded that sign maintenance is covered in the beginning of the sign code.

Discussion continued.

Mike McGinley said the council was concerned with the permitting process and money was involved. Businesses want the ability to promote things.

Motion to adopt the definition of feather flags as a text amendment as under 90-15 made Deanna Harlan, seconded by Bill Koehnemann. – 6 Ayes, 0 Nays. Motion carried.

Motion to approve the text amendment as presented made by Deanna Harlan, seconded by Jim Gallatin.

Motion amend text to include limited to one flag per business and maximum height of 12' as measured from as measured from the adjacent finished grade to the top of the sign and maximum width of 3' made by Shirley Lodes, seconded by Deanna Harlan – 6 Ayes, 0 Nays. Motion carried.

Vote on motion as amended – 6 Ayes, 0 Nays. Motion carried.

7. Old Business

- a. The City of Highland (1115 Broadway) is requesting a text amendment to Chapter 90, Article I "In General," Section 90-15. – Definitions of the Zoning Code add the definition of "hardship."

Scott Hanson presented the information regarding updates to the definition for "hardship".

Recommendation of board taken and economic hardship no longer included. Hardship and the



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standards for consideration were discussed. Mike McGinley stated that there is a new law. A court can interpret a decision based upon a written code. The 90 day statute of limitations has been removed and there currently is not a limitation. Mike McGinley provided eight factors to consider. Discussion that the board is currently using the factors when making decisions.

Motion to approve text amendment as stated made by Jim Gallatin, seconded by Deanna Harlan – 6 Ayes, 0 Nays. Motion carried.

8. Calendar
 - a) July 2, 2019– Combined Planning and Zoning Board Meeting
 - b) Adjournment – **9:27PM**

Anyone requiring ADA accommodations to attend this public meeting, please contact Dylan Stock, ADA Coordinator, at 618-654-7115.