



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda Virtual Meeting Minutes June 3, 2020 7:00 P.M.

1. Call to Order
2. Roll Call
CPZB Members – Present – Chairperson Brad Korte, Al Stoecklin, Bob Vance, Shirley Lodes, Deanna Harlan, and Anthony Walker
CPZB Members – Absent – Bill Koehnemann
Staff – Breann Speraneo, Mike McGinley, and Kim Kilcauski
3. General Business:
Approval of the April 1, 2020 Minutes
Motion to approve the minutes as written made by Deanna Harlan, seconded by Al Stoecklin – 6 Ayes, 0 Nays. Motion approved.
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. The Public Comment Section was closed. Kim Kilcauski confirmed that no comments were received via email or through the portal.
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. No one was present on the virtual meeting other than the board members and city staff.
6. New Business
 - a) Allen Warnecke (1214 Lindenthal Ave) is requesting a 1' side setback for an accessory structure (shed).
Chairperson Korte opened the public hearing on the variance request for a 1' setback for an accessory structure for Allen Warnecke at 1214 Lindenthal Ave. Breann Speraneo stated that the applicant was requesting a 1' variance from the side property line rather than the required 5'. The shed had not been purchased prior to applying for the variance; however, she added that it is now on the property and the City cannot prevent a resident from purchasing and placing a shed. She went on to say that the City can require a resident to move the shed should the board reject the variance request. She added that Section 90-73 of the City of



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Highland Municipal Code states that no accessory structure shall be built closer than ten feet from the principal building, nor closer than five feet from any other building on the lot. Breann Speraneo stated that the land use and zoning of surrounding properties are all single-family residences zoned R-1-D.

Breann Speraneo presented the standards of review for variances. The need for a variance is the result of the addition of an accessory structure to the property. The proposed variance is consistent with the general purpose of Section 90-1. If a variance is not granted, the applicant will need to relocate the shed. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property. The lot is an irregular corner lot. Without a variance, the shed may not fit on the property, or would be closer to the home than desired. The applicant prefers the shed to line up with the detached garage. The variance is a more appropriate remedy than an amendment to the zoning code. The variance will not alter the essential character of the area. A similar precedence has been set in the area.

Breann Speraneo stated that staff does not typically recommend reducing setback requirements this much to allow for a structure that is not directly essential to the property. Setback requirements help prevent overcrowding, provide for open space, privacy and lessen the risk of fire. A precedence for this variance has been set, as the neighboring property directly adjacent to the property line in question was allowed the same variance in 2016 to allow for a shed. The staff report and minutes from the 2016 meeting were included the information packets to the board. The applicant advised staff that he has spoken with this property owner about the variance and he/she had no concerns. Staff has not received any concerns. She added that should the variance be granted there would be 2' between each structure. The shed cannot be significantly shifted to the right due to an awning that extends from the detached garage.

Chairperson Korte asked if anyone else was present to talk about the variance. After no response, Chairperson Korte closed the public hearing. Chairperson Korte asked Breann Speraneo to present the referenced case. She said there were three variances for 610 Pine Street. The applicant had requested a garage be 6" from the property line instead of the required 5'. The minutes show that Mr. Korte had stated that it would not be practical for the homeowners to maintain the structure without encroaching on the neighbor's property at this distance. The applicant stated that there were other accessory structures in the neighborhood that are just as close to the property line. The board had discussed that a 2' off the property line amendment would be more comfortable for everyone. A motion was made to approve a 2' variance rather than the 6" variance off the property line and that was the compromise in the case. Chairperson Korte thanked Breann Speraneo for the information.

Chairperson Korte asked for a motion to approve a 1' setback for an accessory structure at 1214 Lindenthal Ave. Motion made by Bob Vance, seconded by Anthony Walker.

Chairperson Korte asked if anyone had further discussion items. Shirley Lodes asked Breann Speraneo to show the picture with the shed on the property. Shirley Lodes then asked if there



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was adequate room between the shed and the structure to the east to get a lawn mower through. Breann Speraneo responded that even if it were 2' being proposed it would be very tight. Chairperson Korte asked if this variance would only apply to this structure. Breann Speraneo responded that this variance only applies to this structure. She said if they replaced the shed, then the variance would still apply but not for an additional structure. Breann Speraneo provided the example of replacing the shed in five years due to wear and tear, then the homeowner would not need a new variance. If the homeowner decided to get a second shed, then the variance would not carry over. Chairperson Korte asked if the homeowner replaced his shed with a permanent structure if the variance would still apply. Breann Speraneo replied that the variance would still apply. Mike McGinley added that if a variance is granted for a building, then it probably could be replaced with a permanent building. Breann Speraneo agreed. She added that from a zoning perspective fire concerns and overcrowding are a couple of considerations. Chairperson Korte stated that the pictures show the building lined up with the concrete and he understands what the homeowner is trying to do. Deanna Harlan asked if the structure in the pictures between the awning on the homeowner's carport and the neighbor's shed was the house or another structure. Breann Speraneo responded that it was a home on a separate property.

Bob Vance asked if the shed could be moved onto the concrete. Breann Speraneo said that it certainly could be and that was an option. She noted that staff really doesn't want the roofs too close together because that may create a drainage issue. Shirley Lodes asked where the doors were to get into the storage shed and asked if they were on the west side. Breann Speraneo replied that she believed that they were facing the concrete pad. Chairperson Korte does not like the idea of a shed, but the way it is currently sitting right now is the most practical way in his opinion. If the homeowner has to move it, then he will have to move it. Anthony Walker asked if the site also needed a variance for lot coverage with the various structures that include a house, garage, carport and shed. Breann Speraneo responded that the homeowner will be just under the limit. She added that this is an irregular lot and a corner lot. She also mentioned if it were a standard lot, then he probably would be over. Anthony Walker said that he asked because he was concerned about density. Breann Speraneo said that there are two blocks in the area that are densely packed. Deanna Harlan mentioned that variances have already been granted in that area. She added that she didn't know how the board could say no to this request. Chairperson Korte agreed.

Bob Vance recalled last month's request by the board to the applicant to turn the shed to fit better and asked if turning this shed would make a difference. Breann Speraneo said that turning the shed was an option, but then there would be the issue that it would be half way on a grassy area and half way on the concrete so it may not sit properly. Breann Speraneo said that the board was welcome to make any appropriate amendments. She added that in this case staff would not recommend turning the shed because then it would be congested on both sides and would also have the issue of it not sitting flatly. Breann Speraneo said that she agreed with Chairperson Korte that the homeowner is probably trying to line the shed up with the concrete pad. Deanna Harlan asked if there was any way to suggest a different material between the buildings. Breann Speraneo responded that there was not. Chairperson Korte requested a roll call vote. 6 Ayes, 0 Nays, motioned approved.



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Chairperson Korte added that this is the best option and the property owner will be most satisfied.

7. Calendar

a) July 1, 2020– Combined Planning and Zoning Board Meeting

Breann Speraneo stated that the CPZB meeting in July would probably be a virtual meeting. Mike McGinley stated that the open meeting act had been extended until June 27th. Breann Speraneo noted that a rezoning request and special use permit were expected for July.

b) Adjournment – **7:25PM**

NOTICE: The June 3rd CPZB Meeting at 7:00pm will be conducted virtually. To monitor the meeting call 618-882-4358 and use conference ID# 267091. To have a comment read into the meeting minutes, email your comment to kkilcauski@highlandil.gov or submit it through our Citizen Request portal on our website.

Anyone requiring ADA accommodations to attend this public meeting, please contact Breann Speraneo at 618-654-7115.