



# City of Highland

## Building and Zoning

### Combined Planning & Zoning Board

#### Meeting Minutes

City Hall – 1115 Broadway

November 4, 2020 7:00 P.M.

1. Call to Order – **7PM**

2. Roll Call

**CPZB Members – Present – Chairman Brad Korte, Anthony Walker, Bob Vance, Shirley Lodes, Bill Koehnemann, Anthony Walker and Deanna Harlan**

**CPZB Members – Absent – Al Stoecklin**

**Staff – Present – Breann Speraneo, Mike McGinley (attended by phone), Matt Kundrat, and Kim Kilcauski**

3. General Business:

Approval of the October 7, 2020 Minutes

**A motion was made to approve the October 7, 2020 meeting minutes as written by Shirley Lodes, seconded by Deanna Harlan. 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.

**Chairman Korte opened the Public Comment Section regarding items not on the agenda at this time. Hearing none, he asked if any comments not on the agenda had been received and needed to be read into the minutes. Kim Kilcauski responded that nothing had been received by email or through the Citizen Portal. Chairman Korte closed the Public Comment Section.**

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.

**Chairman Korte reviewed the meeting process and administered the oath to those guests in attendance wishing to address the board. Guests taking the oath included James Hess and Carol Ehlke.**

6. New Business

- a) James & Lois Hess (1306 Lynn Street) are requesting a variance to Section 90-73 of the City of Highland Municipal Code to allow for an accessory structure (above-ground pool) to be 4' from the home at 1306 Lynn Street. (PIN# 1-2-24-04-09-103-037)

**Chairman Korte opened the public meeting on item "a". Breann Speraneo summarized the information on the variance requested to allow for an above-ground pool (accessory structure) to be 4' from the home. She referenced Section 90-73 of the City of Highland Municipal Code that states (5) No accessory structure shall: a. be built closer than ten feet from the principal**



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building, not closer than five feet from any other building on the lot. The surrounding uses on all sides are single-family residences and zoned C-2. Breann Speraneo presented the standards of review for variances. The variance is needed as a result of the addition of an accessory structure to the property. The proposed variance is consistent to the general purpose of the chapter and section. If the variance is not granted, then the applicant will be unable to build the above-ground pool. It is the minimum deviation. The size of the lot does not allow for an above-ground pool without a variance due to placement of underground utilities throughout the lot. 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. Breann Speraneo provided the staff discussion saying that given the above-ground pool will be surrounded by a deck with secured gates, there are no safety concerns. Staff does not have concern, given that the pool would be closer to the applicants' home rather than the neighbors' property lines. An above-ground pool may be easily removed if future owners of the property do not wish to keep it. Chairman Korte opened the public comment portion of the hearing. James Hess, the applicant, said that he appreciated the board members' consideration and assured the board that he is investing in the property. James Hess confirmed the barrier will be present. Chairman Korte asked if there were further questions. Hearing none, Chairman Korte closed the public comment portion of the hearing. Chairman Korte asked for a motion to approve the variance. A motion was made by Bob Vance and seconded by Anthony Walker. Chairman Korte asked for any further discussion. Chairman Korte said that he was leaning toward it because it is not a permanent structure. Deanna Harlan thanked the applicant for additional information. Chairman Korte asked if there were further comments. Hearing none, he closed the comment section and requested a roll call vote. 6 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

- b) Carol Ehlke (1515 Poplar Street) is requesting a Special Use Permit for a single-family residence in the C-2 district at 1208 Main Street. (PIN# 01-2-24-05-08-201-029)

Chairman Korte opened the public meeting on item "b". Matt Kundrat summarized that the request for a special use permit is to allow for a single-family residence in a C-2 district. He stated that the zoning matrix identifies "Single-Family Residence" as a Special Use within the C-2 central business district. He also noted that the subject property is denoted as downtown on the Comprehensive Plan's Future Land Use Map and a single-family residence is an appropriate special use for the downtown area. The surrounding uses include single-family residences to the North, East and West. There is a funeral home to the South. All surrounding properties are zoned C-2. Matt Kundrat presented the standards of review for special use permits. The proposed special use is consistent with the Comprehensive Plan. It would not have an adverse effect on public utilities or traffic circulation on nearby streets. It will adequately protect the public health, safety and welfare, and the physical environment. The proposed special use will not have a detrimental impact on the value of the neighboring property or on the City's overall tax base. It will utilize public utilities. There are no facilities near the proposed special use that require the need for special protection. Matt Kundrat also noted in the staff discussion that the proposed use would allow for a vacant building to be used as a single-family residence. The property was originally a single-family residence before changing to commercial. Chairman Korte opened the public comment portion of the hearing. The applicant did not wish to make a statement. Hearing no comments, Chairman Korte closed the public comment portion of the



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hearing. Chairman Korte asked for a motion to approve the special use permit. A motion was made by Anthony Walker and seconded by Bob Vance. Chairman Korte asked for any further discussion. Hearing none, Chairman Korte requested a roll call vote. 6 Ayes, 0 Nays. Motion approved. Chairman Korte closed the public hearing.

### 7. Calendar

a) December 2, 2020 – Combined Planning and Zoning Board Meeting

**Breann Speraneo confirmed that there would be a December meeting. The meeting will include the rezoning of areas of Lynn St. and Oak St. from commercial to residential, the rezoning of Flax Dr., a PUD for the existing phase on Flax Dr., a PUD for phase II of Flax Dr., Preliminary Plat along Highland Rd. and a SUP for a short term rental on 6<sup>th</sup> St.**

b) Adjournment

**Motion made to adjourn made by Shirley Lodes; seconded by Deanna Harlan. 6 Ayes, 0 Nays. Motion approved. Meeting adjourned at 7:20PM.**

***Citizens may attend the meeting in person or monitor the meeting via phone. To monitor the meeting via phone, 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](mailto: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, ADA Coordinator, at 618-654-7115.*