

**HIGHLAND, ILLINOIS  
MINUTES OF REGULAR SESSION  
COMBINED PLANNING & ZONING BOARD  
HIGHLAND AREA SENIORS CENTER, 187 WOODCREST DRIVE  
WEDNESDAY, FEBRUARY 7, 2024  
7:00 PM**

**Call to Order:**

The February 7, 2024, meeting of the Combined Planning & Zoning Board was called to order at 7:00 PM by Chairman Anthony Walker.

**Roll Call:**

Members present: Chairman Anthony Walker, Deanna Harlan, Bill Koehnemann, Brad Korte, Larry Munie, and Robert Vance.

Members absent: Shirley Lodes.

Also present: Economic Development Coordinator Mallord Hubbard; Building Inspector Mike Hanna; City Attorney Michael McGinley; Deputy City Clerk Lana Hediger; and, the applicant, Joyce Buchanan.

**Approval of Minutes:**

Vance made a motion to approve the minutes of the December 6, 2023, Regular Session meeting of the Combined Planning & Zoning Board; seconded by Korte. Harlan, Koehnemann, Korte, Munie, Vance, and Walker voted aye; none voted no. The motion carried.

**Public Comments Relating to Items Not on the Agenda:**

One member of the public, the applicant, was present and had no comments at this time. No written comments were submitted by email or other means.

**Public Hearings and Items Listed on the Agenda - Procedures:**

Chairman Walker reviewed the procedures for testifying on any items on this agenda during the hearings and offered to swear-in members of the public wishing to testify on the issue listed on the agenda. The applicant took the oath.

**New Business:**

- a) **Joyce Buchanan of 700 Pine St., Highland, IL is requesting a variance to Section 90-125 of the City of Highland Municipal code to allow an increase from 30% to 40% lot coverage at 700 Pine St. (PIN # 02-2-18-32-19-404-018).**

Mallord Hubbard presented information related to this application for a Variance, as follows: The applicant and property owner is Joyce Buchanan. She is requesting a Variance from Section 90-125 of the Zoning Code in order to increase the maximum lot coverage from 30% to 40% at 700 Pine Street, which is currently zoned R-1-D, Single Family Residence (50' lot width). (PIN 02-2-18-32-19-404-018)

**Consideration regarding the Comprehensive Plan and Future Land Use Map**

700 Pine Street is identified as "downtown" on the Comprehensive Plan's Future Land Use Map. Chapter 3 of the Comprehensive Plan denotes single-family residential as an appropriate land use in the area identified as "downtown."

**Surrounding Uses:**

Properties surrounding 700 Pine Street in all directions are zoned as R-1-D, Single Family Residential.

**Findings of Fact based on the seven standards of review listed in Section 90-79 of the Zoning Code include:**

1. Madison County records show that the applicant has owned the property for 20+ years. During this time, there have been no changes to the property that would require a variation for it to be used in a manner permitted by the Code and similar to other properties in the R-1-D District.
2. Generally, the requested variance would be consistent with the purpose of the zoning code, as it will not hinder the ability to adequately protect the health, safety, and welfare of the neighborhood or the City.
3. Strict application of the zoning code would require a different solution to accommodate additional family living in the house, which may be more costly.
4. The applicant has provided that the proposed addition is the minimum deviation required to accommodate her family and alleviate the hardship.
5. There are no unique physical conditions of the property which differentiate it from other properties within the R-1-D District.
6. While the circumstances surrounding this request are unique to the applicant (e.g. the applicant's son and grandchildren recently moved in), the physical conditions of the lot are not unique. The lot is similar to many others in the neighborhood (and throughout the City) where other property owners conform to the lot coverage requirements of the Zoning Code.
7. If granted, the variance would not alter the character of the neighborhood. The relatively small lots just north of downtown provide a somewhat dense, walkable neighborhood. This proposed addition would extend 12' toward the south property line leaving a side setback of 5-feet for this property line. This is the required minimum side yard setback for the R-1-D Zoning District.

**Staff Discussion and Recommendation:**

The Zoning Code defines *Lot Coverage* as "the percentage of a lot or parcel which is, or will be, covered by the principal structure(s) and accessory structure(s). Lot coverage shall include all uses governed by a building permit, including, but not limited to, above ground pools, in-ground pools, covered patios, garages (detached and attached), sheds, car ports, porches, and other similar items."

The total lot area of this 50' x 140' lot is 7,000 SF. The maximum area allowed to be covered by structures is 30% of 7,000 SF, or 2,100 SF. While all structures on the property already exceed the 30% lot coverage maximum, the applicant wishes to cover an additional 192 SF with the proposed 12' x 16' addition. This addition would bring the total lot coverage up to 2,678.5 SF, or 38.2% of the lot.

It is worth noting that the swimming pool was the most recent structure placed on the property, in June 2023. However, there was an error in processing this building permit and calculating the lot coverage at the time and the structure was approved when it should not have been, since the property already exceeded the 2,100 SF lot coverage maximum without the pool.

<b>Building Element</b>	<b>Area (SF)</b>
House	800
Pool	288
Shed	96
Garage	812.5
Porch	80
Open Deck	410
<b>TOTAL EXISTING (35.5%)</b>	<b>2,486.5</b>
Proposed Addition	196
<b>TOTAL PROPOSED (38.2%)</b>	<b>2,678.5</b>

While the lot coverage would only increase by an additional 3% with this room addition, the standards upon which the decision must be based are not met. Specifically, the hardship is created by the applicant, and may be remedied in a variety of ways, such as the addition of a room in the basement (with appropriate egress window), or the removal of any of the accessory structures on the lot.

Staff recommends denial of this variance request.

Korte asked if the swimming pool is above-ground or in-ground. The applicant indicated that it is an above-ground pool. Korte asked if the pool weren't there, would still be a need for a variance. Staff indicated yes.

**The Public Hearing on this issue was opened:**

The applicant, Joyce Buchanan, asked if she made the addition smaller, could it be approved. Vance suggested that perhaps the deck could be made smaller so as to accommodate the addition.

Applicant indicated that she is recently retired, owns this home, and is trying to help her son and his daughters. Selling this home to purchase something bigger would not make sense in her situation.

There were no comments submitted via phone or email.

**The public hearing on this issue was closed.**

Korte made a motion to approve the request for a Variance to Section 90-125 of the municipal code to allow an increase from 30% to 40% lot coverage at 700 Pine St.; seconded by Vance.

Harlan stated that while she understands the hardship, she is concerned about approving something now for a homeowner who will not live in this home forever. Walker reiterated that and a desire to find a way to make this work. Harlan asked if improving the basement of the home is an option, as opposed to what is being requested. The applicant indicated that the home was built in 1900, the basement is only under a small portion of the home, and the ceilings are very low, so it is not an option.

Walker asked staff if this variance is the only one needed to make this proposed improvement possible. Hubbard indicated that he believes they meet all other requirements, including lot line setbacks.

Reduction of the size of the deck was discussed again, briefly.

Korte indicated that the 3% increase we are discussing is minimal and he is in support of homeowners in this area making real investments in their property.

The vote was taken by roll call: Harlan, Koehnemann, Korte, Munie, Vance, and Walker voted aye; none voted no. The motion carried.

**Next Meeting:**

The next meeting of the Combined Planning & Zoning Board is scheduled for Wednesday, March 6, 2024.

**Adjournment:**

Korte made a motion to adjourn; seconded by Harlan. All members voted aye. The motion carried and the meeting was adjourned at 7:25 PM.