



City of Highland
Building and Zoning

Combined Planning and Zoning Board 2021 Meeting Dates

January 6, 2021

February 3, 2021

March 3, 2021

April 7, 2021

May 5, 2021

June 2, 2021

July 7, 2021

August 4, 2021

September 1, 2021

October 6, 2021

November 3, 2021

December 1, 2021

January 5, 2022

The Combined Planning & Zoning Board will meet at 7:00 PM at City Hall, 1115 Broadway, on the dates listed above.

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



City of Highland

Building and Zoning

Combined Planning & Zoning Board Agenda
City Hall – 1115 Broadway
November 4, 2020 7:00 P.M.

1. Call to Order
2. Roll Call
3. General Business:
Approval of the October 7, 2020 Minutes
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.
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.
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)
 - 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)
7. Calendar
 - a) December 2, 2020– Combined Planning and Zoning Board Meeting
 - b) Adjournment

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 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.



City of Highland Building and Zoning

Meeting Date: November 4, 2020

From: Breann Speraneo, Director of Community Development

Location: 1306 Lynn Street

Zoning Request: Variance

Description: Setback variance to allow for an above-ground pool

Proposal Summary

The applicant and property owners for this case are James & Lois Hess (1306 Lynn Street). The applicants of this case are requesting the following 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)

In order for the applicants to be granted variance approval, the request must first be reviewed and approved by the CPZB as per 90-93 'Variances – Public hearing and notice requirements' of the Zoning Code.

Section 90-73 of the City of Highland Municipal Code

- (5) No accessory structure shall:
- a. Be built closer than ten feet from the principal building, nor closer than five feet from any other building on the lot.

Land Use and Surrounding Properties

Direction	Land Use	Zoning
North	Single-Family Residence	C-2
South	Single-Family Residence	C-2
East	Single-Family Residence	C-2
West	Single-Family Residence	C-2

Standards of Review for Variances

Below are the seven (7) consideration items listed in Section 90-94, Section (1) Item (b) of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a variance.

1. The applicant acquired his property in good faith and where by reason of exceptional narrowness, shallowness or shape of his specific piece of property at the time of the effective



City of Highland Building and Zoning

date of this code, or where by reasons of exceptional topographical conditions or other extraordinary circumstances, that the strict application of the terms of the zoning regulations actually prohibit the use of this property in the manner similar to that of other property in the zoning district where it is located;

The need for a variance is the result of the addition of an accessory structure to the property.

2. The proposed variance is consistent with the general purpose of this chapter, Section 90-1;

It is consistent.

3. Strict application of this chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;

If a variance is not granted, the applicant will be unable to build an above-ground pool.

4. The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;

It is the minimum deviation.

5. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant;

The size of the lot does not allow for an above-ground pool without a variance due to the placement of underground utilities throughout the lot.

6. The peculiar circumstances engendering the variance request are not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning); and

The variance is a more appropriate remedy than an amendment to the zoning code.

7. The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate implementation of this city's comprehensive plan.

The variance will not alter the essential character of the area.

In granting a variance, the board may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to reduce or minimize any potentially injurious effect of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of these regulations.



Staff Discussion

Given that 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.

2019 Aerial Photograph





City of Highland
Building and Zoning

Site Photos



EXHIBIT "A"
Variance Application

Return Form To:
Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-7115
(618) 654-1901 (fax)

For Office Use Only
Date Submitted: 10-1-20
Filing Fees: \$ 200
Date Paid: 10-1-20
Date Advertised: 10-14-20 & 10-19
Date Notices Sent: 10-14-20
Public Hearing Date: 11-4-20
Zoning File #: VAR-1020-0001

APPLICANT INFORMATION:

Applicant: James + Lois Hess Phone: 618-410-5567
Address: 1306 LYNN ST Highland IL Zip: 62249
Email Address: hess306@yahoo.com
Owner: James + Lois Hess Phone: _____
Address: _____ Zip: _____
Email Address: _____

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 1306 LYNN ST
Present Use of Property: Residence - yard
Proposed Use of Property: Swimming Pool
Variance Requested: Allow 4ft between corner of Attached Garage and proposed swimming pool
Code Section: 90-73

SURROUNDING LAND USE AND ZONING:

	Land Use	Zoning
North	<u>SF Residence</u>	<u>C-2</u>
South	<u>SF Residence</u>	<u>C-2</u>
East	<u>SF Residence</u>	<u>C-2</u>
West	<u>SF Residence</u>	<u>C-2</u>

<i>The Combined Planning and Zoning Board shall not grant any zoning variance unless, based upon the evidence presented to them, they determine that:</i>	Yes	No
1. Property Acquisition: The property was acquired in good faith and strict application of the terms of the Zoning regulations would prohibit the use of the property.	✓	
2. Zoning Code Compliance: The granting of the variance desired will not be opposed to the general spirit and intent of the zoning regulations.	✓	
3. Hardship: Strict application of this Chapter of which the variance is requested would constitute unnecessary hardship upon the property owner represented in the application;	✓	
4. Minimal Deviation: The proposed variance is the minimum deviation from such requirements that will alleviate the difficulties/hardship and allow a reasonable return on the property;	✓	
5. Uniqueness: The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zoning district and is not created by an action or actions of the property owner or applicant.	✓	
6. Public Interest: The variance is not applicable to other property within the district, and therefore, that a variance would be a more appropriate remedy than an amendment (rezoning), and	✓	
7. Comprehensive Plan Compliance: The variance, if granted, will not alter the essential character of the area where the premises in question are located, nor materially frustrate the implementation of this City's comprehensive plan.	✓	

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

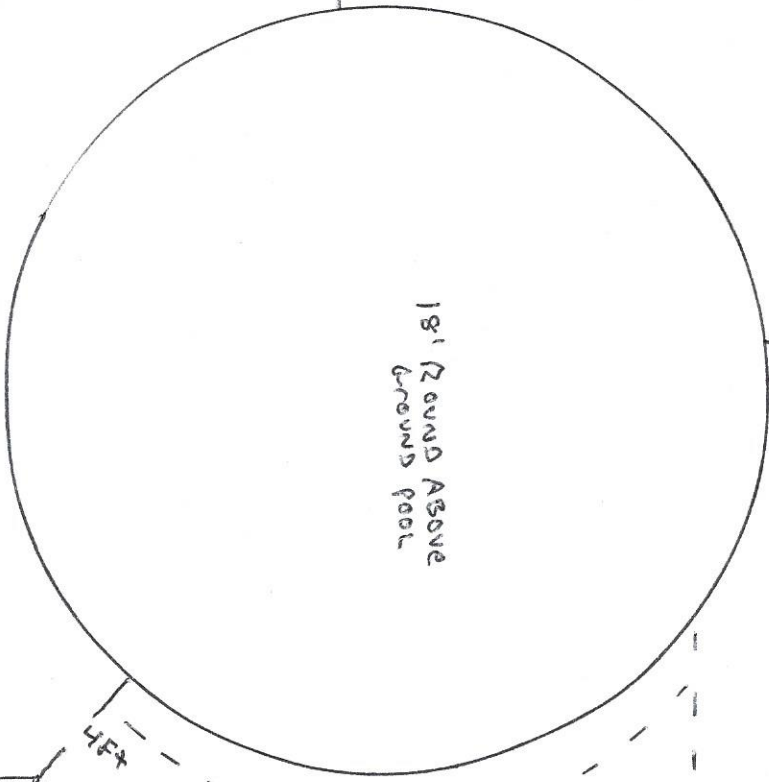
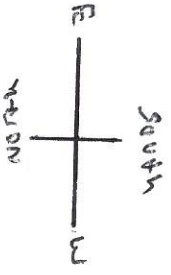
1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. A stamped copy from the Madison County Maps and Plats Department identifying all property owners within 250 feet of the subject property (see Exhibit "B").
6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

Janice Han
Applicant's Signature

9-30-2020
Date

Property Line East



18' ROUND ABOVE GROUND POOL

6ft

8'2ft

12ft

4ft

16ft

18ft

Property line south

sewer line

Frontier line

Deck

Kitchen Door

Garage Door

Attached Garage

Residence

10/1/2020

To: The Combined Planning and Zoning Board

I am writing this short statement to request a variance to allow an above ground swimming pool to be closer than 10 feet to our primary residence. I am restricted in my yard because of underground utilities (Frontier-2 feet) as seen in my site plan. I would like to replace the deck also in the back of the home. This deck would extend to the swimming pool. The portion of the residence that is closer to the swimming pool site is the corner of our attached garage. The purposed site allows 4ft between residence and swimming pool, as this is the edge of the deck and beginning of the yard in that area, a gate would be installed at this location and eventually a sidewalk to the front of the home.

We have owned several homes having swimming pools in the past and they have allowed for quality family time for our children and grandchildren, especially in such uncertain times with Covid 19. I am recently retired and a Swimming pool would allow many days of relaxation. My wife has recently had her 2nd and 3rd back surgeries and has fused vertebrae in her lower back. A swimming pool would allow her the ability to exercise in a low impact fashion as walking in the pool would be her best therapy. The pool would have a fence kit that would extend the pool walls for safety of the neighborhood.

Thank You for your consideration,

*for 72 photos
James and Lois Hess*

James and Lois Hess



City of Highland Building and Zoning

Meeting Date: November 4, 2020

From: Matt Kundrat, Intern
Breann Speraneo, Director of Community Development

Location: 1208 Main Street

Zoning Request: Special Use Permit

Description: SUP to allow for a single-family residence in a C-2 district

Proposal Summary

The applicant and property owner for this case is Carol Ehke (1515 Poplar St). The applicant of this case is requesting the following Special Use Permit to comply with Table 3.1.A of Section 90-201 of the City of Highland Municipal Code (hereafter known as the “zoning matrix”):

- 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)

Comprehensive Plan Consideration

The subject property is denoted as downtown on the Comprehensive Plan’s Future Land Use Map. A single-family residence is an appropriate Special Use for the downtown area.

Surrounding Uses

Direction	Land Use	Zoning
North	Single-Family Residence	C-2
South	Funeral Home	C-2
East	Single-Family Residence	C-2
West	Single-Family Residence	C-2

Standards of Review for Special Use Permits

Below are the six (6) consideration items listed in Section 90-79 of the Zoning Code which the Combined Planning and Zoning Board shall take into account while reviewing a SUP request.

1. Whether the proposed amendment or Special Use is consistent with the City's Comprehensive Plan;

The proposed Special Use is consistent with the Comprehensive Plan.



City of Highland Building and Zoning

2. The effect the proposed amendment or Special Use would have on public utilities and on traffic circulation;

The proposed single-family residence would not have an adverse effect on public utilities or traffic circulation on nearby streets.

3. Whether the proposed design, location and manner of operation of the proposed Special Use will adequately protect the public health, safety and welfare, and the physical environment;

The proposed Special Uses will adequately protect the public health, safety and welfare, and the physical environment.

4. The effect the proposed Special Use would have on the value of neighboring property and on this City's overall tax base;

The proposed Special Use will not have a detrimental impact on the value of neighboring property or on the City's overall tax base.

5. The effect the proposed Special Use would have on public utilities; and

The proposed Special Use will utilize public utilities.

6. Whether there are any facilities near the proposed Special Use, such as schools or hospitals that require special protection.

There are no facilities near the proposed Special Use that require the need for special protection.

Staff Discussion

The proposed use would allow for a vacant building to be used as a single-family residence. This property was originally a single-family residence before changing to commercial.



City of Highland
Building and Zoning

2019 Aerial Photograph



Site Photo



EXHIBIT "A"
Special Use Permit Application

Return Form To:

Administrative Official
City of Highland
2610 Plaza Drive
Highland, IL 62249
(618) 654-7115
(618) 654-1901 (fax)

For Office Use Only

Date Submitted: 10-1-20
Filing Fee: \$200
Date Paid: 10-1-20
Date Advertised: 10-14 + 10-15
Date Notices Sent: 10-14-20
Public Hearing Date: 11-4-20
Zoning File #: _____

APPLICANT INFORMATION:

Applicant: Carol Ehke Phone: 618-698-9300
Address: 1515 Poplar Street, Highland, IL Zip: 62249
Email Address: carolsfmk@gmail.com
Owner: Carol Ehke Phone: _____
Address: _____ Zip: _____
Email Address: _____

PROPERTY INFORMATION:

Street Address of Parcel ID of Property: 1208 Main Street

Property is Located In (Legal Description): _____

Present Zoning Classification: C-2 Acreage: 0.12

Present Use of Property: previously a flower shop

Proposed Land Use: single-family residence

Description of proposed use and reasons for seeking a special use permit:
I previously used this building for my flower shop. I have since merged my business with another local business and no longer have a commercial use for the building. Therefore, I would like to convert it back to a single-family residence.

SURROUNDING LAND USE AND ZONING:

	<u>Land Use</u>	<u>Zoning</u>
North	<u>Single-Family Residence</u>	<u>C-2</u>
South	<u>Funeral Home</u>	<u>C-2</u>
East	<u>Single-Family Residence</u>	<u>C-2</u>
West	<u>Single-Family Residence</u>	<u>C-2</u>

Should this special use be valid only for a specific time period? Yes _____ No X

If Yes, what length of time? _____

<i>Does the proposed Special Use Permit meet the following standards? If not, attach a separate sheet explaining why.</i>	Yes	No
A. Will the proposed design, location and manner of operation of the proposed special use will adequately protect the public health, safety and welfare, and the physical environment;	<u>X</u>	
B. Is the proposed special use consistent with this City's Comprehensive Plan;	<u>X</u>	
C. Will the proposed special use have a minimal negative impact on the value of neighboring property and on this City's overall tax base;	<u>X</u>	
D. Will the proposed special use have a minimal negative impact on public utilities and on traffic circulation on nearby streets; and	<u>X</u>	
E. Will the proposed special use have a minimal impact on the facilities near the proposed special use, such as schools or hospitals require special protection?	<u>X</u>	

THE FOLLOWING ITEMS MUST ACCOMPANY YOUR APPLICATION:

1. One copy of a legal description AND warranty deed of the property. If the applicant is not the property owner, a notarized letter from the property owner granting the applicant permission to apply for the request will be required.
2. A current plat, site plan, survey, or other professional illustration.
3. One copy of a narrative statement describing the impact of the proposed change, including the purpose of the request, the desired land use, any traffic conditions that may result, how the proposed change may affect the character of the surrounding properties, and how the proposed change will benefit the City of Highland.
4. Application fee.
5. A stamped copy from the Madison County Maps and Plats Department identifying all property owners within 250 feet of the subject property (see Exhibit "B").
6. Any other information required by planning staff (i.e. landscaping plan, elevation plan, exterior lighting plan, etc).

I HAVE READ AND UNDERSTAND THE ABOVE CITY OF HIGHLAND PETITION TO THE COMBINED PLANNING & ZONING BOARD REQUIREMENTS.

Carl J. Heke
Applicant's Signature

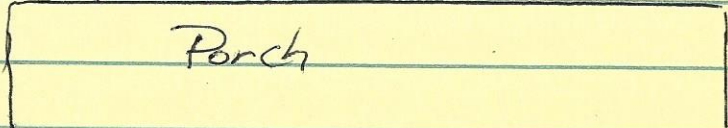
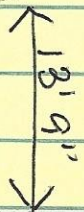
10-1-2026
Date

I previously used this building for my flower shop. I have since merged my business with another local business and no longer have a commercial use for the building. Therefore, I would like to convert it back to a single-family residence for my son to live in.

This will not affect traffic, parking, or the character of the surrounding properties. This residence will use City utilities and add another single-family home to the community. This building was originally a single-family home and then was made commercial with a studio apartment upstairs.

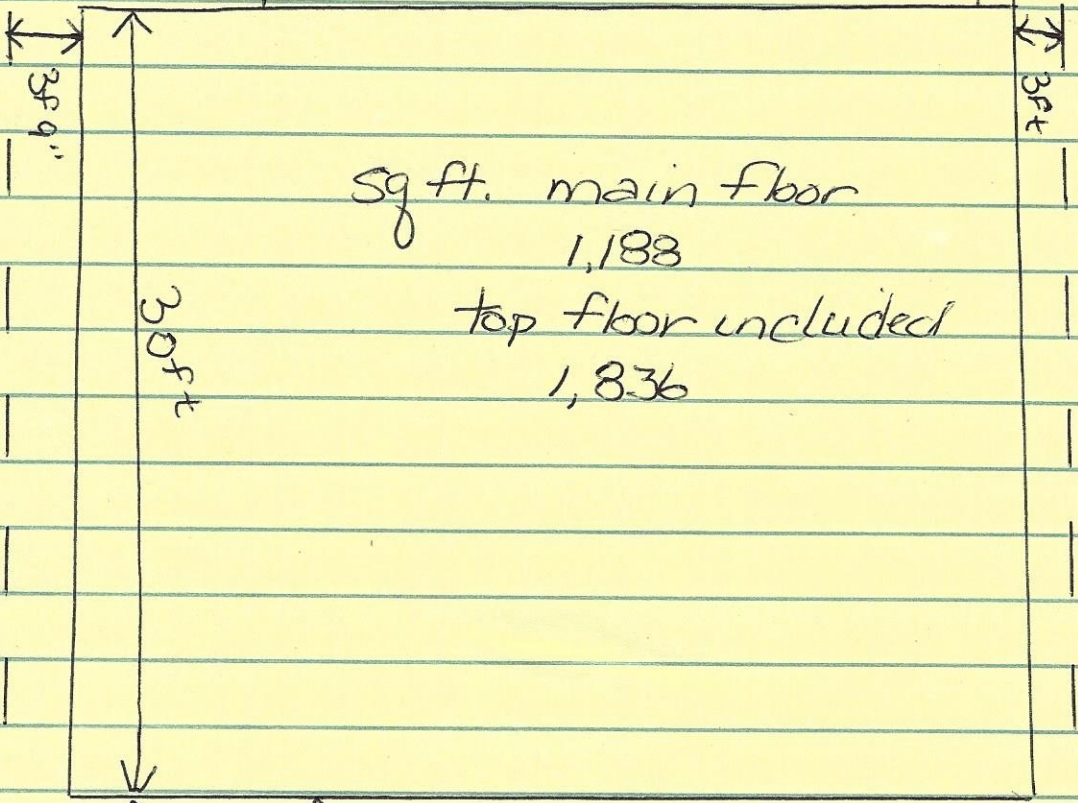
Main Street

Carol Ehlke
1208 Main Street

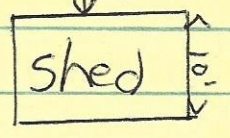
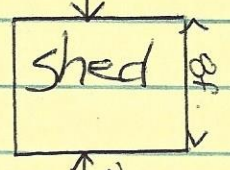
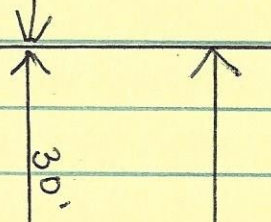


Kapp

Wellen



Sq ft. main floor
1,188
top floor included
1,836



alley