

VILLAGE OF PEOTONE
PLANNING & ZONING COMMISSION
MINUTES OF FEBRUARY 16, 2022

CALL TO ORDER

THE REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION WAS CALLED TO ORDER AT 6:00PM AT THE MUNICIPAL COMPLEX HALL, 208 E. MAIN STREET, PEOTONE, ILLINOIS BY THE CHAIRMAN, JAMES PETREIKIS.

ROLL CALL

THE FOLLOWING PLANNING AND ZONING MEMBERS ANSWERED ROLL CALL: MR. JONES, MR. MERCER, MR. PETREIKIS AND MS EKHART. MS. MARCH CURTIS AND MR GILLIS WERE ABSENT. VILLAGE ADMIN AND VILLAGE ATTORNEY WERE PRESENT. VILLAGE ATTNY STATED THAT IT SHOULD BE NOTED THAT THIS IS A RECONVENED MEETING FROM THE JANUARY 19, 2022 PLANNING & ZONING MEETING.

MINUTES

MOTION MADE BY JONES AND SECONDED BY MERCER TO APPROVE THE MINUTES OF THE JANUARY 19, 2022, PLANNING AND ZONING COMMISSION MEETING AS WRITTEN. APPROVED BY ALL, MOTION CARRIED.

ANNOUNCEMENT OF DECISION OF VILLAGE BOARD IN PREVIOUS RECOMMENDATIONS:
NONE

OLD BUSINESS: NONE

NEW BUSINESS- PUBLIC HEARING CONTINUATION OF JANUARY 19, 2022 MEETING: PUBLIC HEARING: PZ21-05 REQUEST OF PETITIONER, PETER J MARCH, FOR A VARIANCE OF TWELVE (12) FEET IN THE REAR YARD AND ONE (1) FOOT VARIANCE ON THE SIDE YARD TO ALLOW FOR BUILDING EXPANSION AT COMMONLY KNOWN ADDRESS OF 517 S GOVERNORS HIGHWAY, PEOTONE, IL, AND A RECOMMENDATION BY THE PLANNING & ZONING COMMISSION TO THE VILLAGE BOARD OF TRUSTEES REGARDING THE REQUEST

CHAIRMAN SWORE IN THE PETITIONER, DR PETER MARCH. DR MARCH APOLOGIZED FOR NOT BEING AT THE LAST MEETING AND THANKED EVERYONE FOR ALLOWING THE HEARING TO CONTINUE. DR MARCH STATED THAT HE WROTE THE ORIGINAL TIMELINE AS SOON AS HE WAS AWARE OF THE SETBACK ISSUES AND THAT ALL THE DATES ARE CORRECT. HE READ THROUGH THE PREVIOUSLY SUBMITTED TIMELINE AND STATED THAT EVEN THOUGH HE FOLLOWED ALL PROCEDURES HE UNDERSTANDS HE IS RESPONSIBLE FOR THE OVERSIGHT AND TAKES FULL RESPONSIBILITY. HE ANSWERED A COUPLE QUESTIONS FROM THE LAST MEETING REGARDING BEING A PAST P&Z MEMBER AND THE PAST P&Z CASE MENTIONED AT THE PREVIOUS P&Z MEETING. HE THEN ASKED FOR A FAVORABLE RECOMMENDATION FROM THE COMMISSION AND EXPRESSED THAT HE IS A LIFELONG RESIDENT AND NOT A FLY BY NIGHT DEVELOPER JUST LOOKING TO MAKE MONEY AND THAT HE HAS A FAMILY BUSINESS THAT PROVIDES A VALUABLE SERVICE TO THE COMMUNITY AND HAS INVESTED HEAVILY IN THE COMMUNITY WITH DONATIONS AND TIME IN A VARIETY OF WAYS. HE STATED THERE WAS NO HIDDEN AGENDA OR EXPECTATIONS OF FAVOR DUE TO HIS POSITION OF VILLAGE PRESIDENT AND THAT IF THIS SETBACK ISSUE HAD BEEN BROUGHT TO HIS ATTENTION BEFORE CONSTRUCTION HAD STARTED HE WOULD HAVE MOST CERTAINLY APPLIED FOR A VARIANCE THAT HE FEELS WOULD HAVE BEEN APPROVED WITHOUT ANY TROUBLE. HE ASKED FOR THE FACTS OF THE CASE TO BE CONSIDERED AND STATED IT WOULD NOT HARM

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OR INJURE ANYONE IN THE VILLAGE AND THAT HE IS BUILDING AN ATTRACTIVE STRUCTURE THAT WILL BRING INCREASED BUSINESS TO THE VILLAGE, IT WILL NOT CAUSE ANY SIGHT OR NOISE ISSUES AND WILL NOT ADVERSLY AFFECT ANYONE ELSE'S PROPERTY VALUES. HE STATED REJECTING THE VARIANCE WILL ONLY CAUSE HARM TO HIM CAUSING A LOSS OF HUNDREDS OF THOUSANDS OF DOLLARS AND WILL NOT BENEFIT ANYONE IN THE COMMUNITY AND IF HE DECIDED TO REBUILD IT WOULD BE SMALLER AND PROVIDE LESS BENEFIT TO THE COMMUNITY BECAUSE IT WOULD BE SERVING LESS PATIENTS. THERE WAS THEN DISCUSSION AMONG THE P&Z BOARD. IT WAS STATED THAT MISSTEPS WERE TAKEN AND IT IS AWKWARD BECAUSE IT INVOLVES AN ELECTED OFFICIAL BUT THAT THE VILLAGE WILL BE REVIEWING CONTRACTS WITH THE INSPECTION COMPANY AND CODES AND WILL BE CORRECTING ISSUES. REGARDING THE SITUATION ON DELFT, THESE ARE DIFFERENT LOTS, IRREGULAR SIZING, DIFFERENT SETBACKS AND ZONING. MS EKHART ASKED HOW MANY VARIANCES LIKE THIS HAVE BEEN HANDLED PREVIOUSLY. IT WAS STATED THAT THERE IS NOT MUCH PUBLIC ACTIVITY OR TRAFFIC AT THE LOCATION. MR MERCER ASKED IF APPROVED HOW SOON CONSTRUCTION WOULD BE COMPLETED, DR MARCH ANSWERED APPROX THREE MONTHS. MR JONES ASKED ON THE EAST SIDE WHERE THE CONCRETE WAS POURED HOW FAR OVER THE LINE IS IT, DR MARCH ANSWERED 6-7 INCHES. THE ADMIN STATED BOTH THE CONTRACTOR AND SAFE BUILT WERE PRESENT IF THERE WERE ANY ADDITIONAL QUESTIONS FROM P&Z, THERE WERE NONE.

PUBLIC COMMENT

MS EKHART ASKED IF THERE IS A TIME LIMIT TO PUBLIC COMMENT. ADMIN STATED YES THERE IS A VILLAGE POLICY AND IT IS LOCATED ON PODIUM NEXT TO THE SIGN IN SHEET, BUT IT IS ALSO AT THE DISCRETION OF THE CHAIRMAN. CHAIRMAN SAID HE LIKES TO LET PEOPLE HAVE A CHANCE TO BE HEARD. NANCY CROSS SPOKE, SHE WANTED TO KNOW WHY CERTIFIED LETTERS WERE NOT SENT, ADMIN CLARIFIED THAT IT IS NOT REQUIRED. MS CROSS STATED IN THE FUTURE NOTIFICATION SHOULD BE MADE CERTIFIED IN ORDER TO GUARANTEE PROPERTY OWNERS RECEIVE THE NOTIFICATION. MS CROSS STATED THE PETITIONER WAS NOT PRESENT AT THE PREVIOUS MEETING AND DID NOT CALL IN AND THAT THERE WAS DAMAGE TO PROPERTY AND TRESPASSING. MS CROSS ASKED WHAT WILL HAPPEN TO ADMIN IN REGARDS TO THE MISTAKE, NO ANSWER GIVEN.

KEN SMITH SAID THAT NOTIFICATION LETTERS WERE ALWAYS SENT CERTIFIED DURING THE 15 YEARS HE WAS ON THE P&Z COMMISSION AND THAT MAYBE THAT AND SETBACKS SHOULD BE LOOKED AT AND CONSIDERATION OF CHANGING SETBACKS ON COMMERCIAL ZONED PROPERTIES AND THAT THERE SHOULD BE CONSEQUENCES FOR WHAT HAPPENED AND IT SHOULD BE RECOMMENDED TO THE VILLAGE BOARD TO LOOK INTO. ADMIN CLARIFIED EXCEPT FOR THE PAST THREE YEARS WHEN NONE WERE ASKED FOR. THE CHAIRMAN SAID SOMETHING NEEDS TO BE ATTACHED TO MAKE A CHANGE TO THE BUILDING PERMIT PROCESS.

ANDREA ARENS FROM THE VEDETTE WANTED TO CLARIFY AS SETBACKS ARE A CODE ISSUE WHO WAS THE ACTING CODE OFFICER WHEN DR MARCH INITIALLY APPROACHED ADMIN ABOUT THIS PROJECT, ADMIN REPLIED IT IS HER RESPONSIBILITY. MS ARENS ASKED ADMIN IF SHE RECEIVES A STIPEND WHEN ACTING AS CODE ENFORCER, ADMIN REPLIED NO. MS ARENS ASKED IF ADMIN WAS AWARE OF SETBACKS, ADMIN RESPONDED YES BUT WHEN ASKED TO

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REVIEW THIS PROJECT SHE DID NOT REALIZE IT WOULD ENCROACH ON THE REAR YARD DUE TO THE IRREGULAR SHAPE OF THE PARCEL.

CHAIRMAN EXPLAINED THAT MR GILLIS WAS NOT GOING TO BE ABLE TO ATTEND THIS MEETING BUT HAD EMAILED SOME QUESTIONS HE HAD, CHAIRMAN STATED ALL THE ANSWERS HAD BEEN COVERED AND ADMIN HAD GIVEN HIM INFORMATION THAT HE HAD REQUESTED.

IT WAS ASKED IF THERE WAS A VARIANCE REQUEST FOR THE NEW HOUSE BEING BUILT ON DELFT COURT, ADMIN ANSWERED NO AND THAT IT IS IN COMPLIANCE.

DON KOOY STATED HE IS THE CARPENTER ON THE PROJECT AND WAS ASKED BY THE GENERAL CONTRACTOR TO REPRESENT HIM, HE STATED THE PROJECT IS BEING BUILT AS PER APPROVED PLAN.

A MEMBER OF THE PUBLIC STATED THAT AFTER THE LAST MEETING THAT THE ADMIN DID NOT TAKE ANY RESPONSIBILITY UNTIL PRESSED AND THAT SAFE BUILT SAID IT WASN'T IN THEIR SCOPE OF WORK. KEITH FROM SAFE BUILT SAID THAT THEIR PAST EMPLOYEE, TOM PAHNKE, HAD OVER 30 YEARS OF EXPERIENCE AND HANDLED EVERYTHING AND THAT THE NEW INSPECTOR BILL RAGLIN DOES NOT HAVE THE SAME EXPERIENCE. THE CONTRACT THE VILLAGE HAS WITH SAFE BUILT DOES NOT INCLUDE ZONING AND THE PLAN REVIEWER ASSUMED THAT THE ZONING HAD ALREADY BEEN APPROVED.

THE CHAIRMAN STATED ALL PUBLICATION REQUIREMENTS HAVE BEEN MET AND ADJACENT PROPERTY OWNERS HAVE BEEN NOTIFIED AND CLOSED PUBLIC COMMENT AS THERE WERE NO ADDITIONAL QUESTIONS.

GENERAL DISCUSSION

THE CHAIRMAN READ THE VARIANCE FINDINGS.

JONES MADE A MOTION TO APPROVE THE VARIANCE REQUEST FOR SETBACKS AND NO CHANGES TO THE FINDINGS OF FACT. THE CHAIRMAN STATED HE WOULD LIKE TO MAKE A RECOMMENDATION TO REVISIT THE BUILDING PERMIT PROCESS AND JONES AGREED. THE ATTNY ADDED TO ALSO RECOMMEND PROCEDURES FOR THE BUILDING PERMIT PROCEDURES PROCESS BE REVIEWED. MERCER SECONDED REVISED MOTION. ALL APPROVED, MOTION CARRIED.

THE ATTNY STATED THE RECOMMENDATION OF P&Z WILL GO ALONG WITH THE FINDINGS TO THE VILLAGE BOARD AT THE NEXT MEETING AND WILL BE REVIEWED BY THE VILLAGE BOARD BEFORE THEY TAKE A FINAL VOTE. THE ATTNY AND ADMIN WILL MAKE SURE RECOMMENDATION LANGUAGE WILL BE BROUGHT TO THE BOARD FOR DISCUSSION.

JONES ASKED IF THERE IS ANYTHING FOR MARCH, ADMIN ANSWERED NOT YET BUT THERE PROBABLY WILL BE.

ADJOURN- MOTION BY EKHART, SECOND BY JONES AT 6:55PM. ALL APPROVED