



MINUTES
Carbondale Zoning Board of Appeals
Wednesday, May 10, 2017
Room 108, 6:00 p.m.
200 South Illinois Avenue

MEMBERS PRESENT: LeBeau, Sheffer, Hamilton, Lilly, Litecky

MEMBERS ABSENT: Burnside and Love

STAFF PRESENT: Taylor

1. Call to Order and Roll Call

Roll call was completed and the determination of a quorum was made.

2. Approval of Minutes:

Mr. Sheffer moved, seconded by Dr. LeBeau, to approve the minutes of June 15, 2016.

The motion was approved by a unanimous voice vote.

3. Citizen Comments or Questions:

None

4. Hearing:

ZBA 17-04—742 North Illinois Avenue, Variance from the minimum side yard setback for primary structures in an LI, Light Industrial, District.

Ms. Litecky opened the Public Hearing at 6:02 p.m. and asked Mr. Taylor to read the Legal Notice.

Mr. Taylor, Senior Planner for the City of Carbondale, read the Legal Notice.

Ms. Litecky asked Mr. Taylor to present the staff report.

Travis Taylor, Senior Planner for the City of Carbondale, was sworn in and presented the staff report for ZBA 17-04.

Ms. Litecky asked if there were any questions the Board had for staff.

There were none.

Ms. Litecky asked if the applicant was present and would like to step forward and present their case.

The applicant was present but did not wish to speak.

Ms. Litecky asked if there were any questions for the applicant.

Mr. Sheffer asked what exactly the addition would be used for and how it will help with growth of business. Justin, with United Insulated Structures and the contractor for the site came forward, he stated that due to increased business at the site they are unable to store as much of the dairy products as they are needing to ship and the increase in the refrigerated storage would help the business to not have to store products at third party locations which is costly.

Ms. Litecky asked if there was anyone in support.

There were none.

Ms. Litecky asked if anyone would like to speak in opposition.

There were none

Ms. Litecky asked Mr. Taylor to read the conclusion of the staff report.

Mr. Taylor read the conclusion of the staff report with the recommendation that the Zoning Board of Appeals deny ZBA 17-04.

Ms. Litecky asked if the applicant had any questions for City staff.

Mr. Sheffer stated that he was unsure why the City staff would recommend to deny the request because he does not feel that granting the request would hurt any of the parties involved and it would be good for that area to have more business related structures for jobs and industrial plants in the City. Mr. Taylor stated that he agrees with Mr. Sheffer but when a request does not meet all criteria, legally the City staff has to recommend denial of the request. Mr. Sheffer stated that the Commission could legally override the recommendation for denial and approve the request. Mr. Taylor stated that was true and could be done. There was then discussion on how the motion should be stated when the Commission gets ready to vote to approve or deny.

Dr. Hamilton asked for more information on the adjacent parcel and what was being done to get ownership of the parcel. Justin came forward to state that Prairie Farms has been making an effort to purchase the land over the past few years but there is not an actual owner currently to the land. Ms. Litecky asked who they plan to purchase from if there is no legal owner to the land. Justin stated that they are looking for alternate methods of seeing who might have once owned the property other than tax records. Dr. Hamilton asked if they were to pay the back taxes on the property would they be able to buy the property out right. Justin stated he was unsure on that and could not give an answer.

Mr. Sheffer asked how wide the property was. Mr. Taylor stated that it was about twenty by sixty feet wide.

Ms. Litecky asked if there were any questions from anyone to anyone.

There were none.

Ms. Litecky declared ZBA 17-04 closed and asked for motion on the jurisdiction of the case.

Mr. Sheffer moved, seconded by Ms. Lilly, that the City has jurisdiction over ZBA 17-04.

The motion was approved by a unanimous voice vote.

Mr. Sheffer moved, seconded by Dr. LeBeau, that the applicant has standing to bring the case to the Board.

The motion was approved by a unanimous voice vote.

Mr. Sheffer moved, seconded by Ms. Love, of the finding of facts, which the applicant was present to speak in support of the application and no one spoke in opposition.

The motion was approved by a unanimous voice vote.

Mr. Sheffer moved, seconded by Ms. Lilly, to vote on the criteria as one.

Roll Call Vote

Yes – 5 (LeBeau, Sheffer, Hamilton, Lilly, Litecky)

No – 0

Mr. Sheffer moved, seconded by Ms. Lilly, that the applicant has met all 5 criteria.

Roll Call Vote

Yes – 5 (LeBeau, Sheffer, Hamilton, Lilly, Litecky)
No – 0

Mr. Sheffer moved, seconded Ms. Lilly, to approve the variance in case ZBA 17-04.

Roll Call Vote
Yes – 5 (LeBeau, Sheffer, Hamilton, Lilly, Litecky)
No – 0

Mr. Taylor stated that the variance had been granted and that the applicant could come into the City Planning office to get the building permits that they will need to continue the process.

5. Old Business:

None

6. New Business:

None

7. Adjournment:

Ms. Litecky adjourned the meeting at 6:21 p.m.