



MINUTES
Carbondale Zoning Board of Appeals
Wednesday, June 15, 2016
Room 108, 6:00 p.m.
200 South Illinois Avenue

MEMBERS PRESENT: LeBeau, Sheffer, Anz, Lilly, Burnside, Love

MEMBERS ABSENT: Barke, Litecky, Field

STAFF PRESENT: Taylor, Sergeev

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 Ms. Lilly, to approve the minutes of May 25, 2016.

The motion was approved by a unanimous voice vote.

3. Citizen Comments or Questions:

None

4. Hearing:

ZBA 17-02 – Jerome Molumby is requesting a 340 ft² variance from Section 15-3.4.1.B of the Carbondale Revised Code, which limits the maximum floor area for accessory structures to 800 ft² in the R-1-15, Low-Density Residential, district for the following described property located at 29 Hill Haven Drive

Mr. LeBeau opened the Public Hearing at 6:05 p.m. and asked Mr. Taylor to read the Legal Notice.

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

Mr. LeBeau asked Ms. Sergeev to present the staff report.

Ms. Sergeev, Planner for the City of Carbondale, was sworn in and presented the staff report for ZBA 17-02.

Mr. LeBeau asked if the applicant was present and would like to step forward and present their case.

Mr. Jerome Molumby came forward and stated that the variance is being requested to allow space for vehicles and farm equipment to be stored. Mr. Molumby requested that the Zoning Board of Appeals approve the variance.

Mr. LeBeau asked if there were any questions for the applicant.

There were none

Mr. LeBeau asked if there were any questions the Board had for staff.

There were none.

Mr. LeBeau asked if there was anyone in support.

There were none.

Mr. LeBeau asked if anyone would like to speak in opposition.

There were none

Mr. LeBeau asked Ms. Sergeev to read the conclusion of the staff report.

Ms. Sergeev read the conclusion of the staff report with the recommendation that the Zoning Board of Appeals deny ZBA 17-02.

Mr. LeBeau asked if there were any questions from the Board.

Mr. Sheffer states that he had comments about the granting of the variance. He stated that he disagree with the City because of the benefits it would have for the neighborhood and for the applicant. Mr. Sheffer asked Ms. Sergeev to explain the recommendation to deny.

Ms. Sergeev stated that the granting of the variance would not be in conflict with the harmony of the neighborhood it just does not meet the criteria required for granting a variance.

Mr. Sheffer then said that he agreed with the City's 4b statement the most, but not with the rest.

Mr. LeBeau stated that he agreed with Mr. Sheffer's comments, as well. He then asked if there were any further questions from the Board.

Mr. LeBeau asked if the applicant had any questions for City staff.

There were none.

Mr. LeBeau asked if there were any questions from anyone to anyone.

Mr. Burnside then stated that he had further questions about adding a structure to the existing home and the costs associated with the addition.

Ms. Eckert stated that it would be difficult and expensive to add onto the existing structure. Adding on to the existing structure may devalue the home for resale and cause the applicant financial hardship in the future.

Mr. LeBeau asked if there were further questions for anyone else.

There were none.

Mr. LeBeau asked if the applicants would like to give a closing statement.

Ms. Eckert spoke about the zoning ordinance on lot size and how the maximum square footage allowed for accessory structures does not work for every case.

Mr. Sheffer stated that while the City has to follow the ordinance, the ZBA's purpose is to grant variances such as this.

Mr. LeBeau asked for closing statements from any interested parties.

There were none.

Mr. LeBeau asked if there were any rebuttal statements.

Hearing none, Mr. LeBeau declared Public Hearing 17-02 closed at 6:24 p.m.

Mr. LeBeau then asked for motion on the five items of the case.

Mr. Love moved, seconded by Ms. Lilly, that the City has jurisdiction over this case.

The motion was approved by a unanimous voice vote.

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

The motion was approved by a unanimous voice vote.

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

The motion was approved by a unanimous voice vote.

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

Roll Call Vote

Yes – 5 (LeBeau, Sheffer, Anz, Burnside, Lilly)

No – 1 (Love)

Mr. Sheffer moved, seconded Mr. Love, to approve the variance in case 17-02.

Roll Call Vote

Yes – 5 (LeBeau, Sheffer, Anz, Burnside, Lilly)

No – 1 (Love)

Mr. Taylor thanked Mr. Molumby and Ms. Eckert, for their application and stated that they would receive written notification of the Board's decision within 10 days.

5. Old Business:

None

6. New Business:

None

7. Adjournment:

Mr. LeBeau adjourned the meeting at 6:30 p.m.