



MINUTES  
**Carbondale Zoning Board of Appeals**  
Wednesday, May 15<sup>th</sup>, 2024  
Room 108, 6:00 p.m.  
200 South Illinois Avenue

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MEMBERS PRESENT: Litecky, Allee, Sheffer, Carrier, Shukites

MEMBERS ABSENT: Lilly, Love, Doherty (ex-officio)

STAFF PRESENT: Lenzini, Maxwell, Gibson

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**1. Call to Order and Roll Call**

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

**2. Approval of Minutes:** There were none.

**3. Citizen Comments or Questions:**

There were none.

**4. Hearing:**

**ZBA 24-04:** David Mack is requesting a variance from Section 15-3.4.1 of the Carbondale Revised Code, which outlines the City's accessory structure size regulations in an R-1-12, Low-Density Residential, District for the following described property: 875 North Norwest Lane, Parcel Number: 15-18-428-013

Ms. Litecky declared public hearing ZBA 24-04 open and asked Ms. Gibson to read the legal notice.

Ms. Gibson, Planner for the City of Carbondale, read the Legal Notice.

Ms. Litecky asked Ms. Gibson to present the staff report.

Ms. Gibson read part A of the staff report for ZBA 24-04.

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

There were none.

Ms. Litecky asked if the applicant would like to make a statement in favor of the request.

The applicant, Mr. Dave Mack, was present and gave a statement in favor of his request

Ms. Litecky asked if the Board had any questions for the applicant.

Mr. Shukites asked Mr. Mack worked on his vehicles often and if there was noise pollution associated.

Mr. Mack stated that he does not often do work on his vehicles at his residence but generally goes to a mechanic.

Ms. Litecky asked if anyone wished to speak in favor.

There were none.

Ms. Litecky asked if anyone wished to speak in opposition.

There were none.

Ms. Litecky asked Ms. Gibson to read the staff analysis.

Ms. Gibson read Part B and C of the staff report for ZBA 24-04, with a recommendation of approval.

Ms. Litecky asked if the Commissioners had questions for staff.

There were none.

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

There were none.

Ms. Litecky declared ZBA 24-04 closed and asked for a motion on whether the Board had jurisdiction on this application.

Mr. Sheffer moved that the Zoning Board of Appeals has jurisdiction over the matter being requested, seconded by Mr. Shukites.

The motion was approved by unanimous voice vote.

Ms. Litecky asked for a motion on whether the applicant has standing to make this application.

Mr. Sheffer moved that applicant has the standing to make this application, seconded by Mr. Allee.

The motion was approved by a unanimous voice vote.

Ms. Litecky asked for a motion on the finding of fact.

Mr. Sheffer moved that Parts A and B, that the applicant was present, zero people spoke in favor, zero people spoke in opposition, zero letters in favor or opposition were submitted, all be accepted as the findings of fact, seconded by Mr. Carrier.

The motion was approved by a unanimous voice vote.

Ms. Litecky asked for a motion on whether the board would like to vote consider all five criteria as one or separately.

Mr. Sheffer moved to make a motion to consider all five criteria as one, seconded by Ms. Allee.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)

No – 0

Ms. Litecky stated the motion carries and all criteria will be considered as one.

Ms. Litecky asked for a motion on if the applicant has met all five criteria.

Mr. Sheffer moved that the applicant has met all five criteria, seconded by Ms. Allee.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)

No – 0

Ms. Litecky stated that the Board finds the applicant has met all five criteria for granting a variance.

Ms. Litecky asked for a motion on granting the variance.

Mr. Sheffer moved to grant the variance of ZBA 24-04, seconded by Ms. Allee.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)

No – 0

Mr. Lenzini stated that the variance has been approved.

**ZBA 24-03:** Gary Williams is requesting a variance from Section 15-2.10 of the Carbondale Revised Code, which outlines the City's setback regulations for new primary structures in the RR, Rural Residential, zoning district. This request is for the following described property, which is outside of City limits, but within the City's mile-and-a-half zoning jurisdiction: 8 Bittersweet Lane, Parcel Number: 19-06-400-014

Ms. Litecky declared public hearing ZBA 24-03 open and asked Ms. Maxwell to read the legal notice.

Ms. Maxwell, Senior Planner for the City of Carbondale, read the Legal Notice.

Ms. Litecky asked Ms. Maxwell to present the staff report.

Ms. Maxwell read part A of the staff report for ZBA 24-03.

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

There were none.

Ms. Litecky asked if the applicant would like to make a statement in favor of the request.

The applicant was not present to make a statement.

Ms. Litecky asked if the Board had any questions for the applicant.

There were none.

Ms. Litecky asked if anyone wished to speak in favor.

There were none.

Ms. Litecky asked if anyone wished to speak in opposition.

There were none.

Ms. Litecky asked Ms. Maxwell to read the staff analysis.

Ms. Maxwell read Part B and C of the staff report for ZBA 24-03, with a recommendation of approval.

Ms. Litecky asked if the Commissioners had questions for staff.

There were none.

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

There were none.

Ms. Litecky declared ZBA 24-03 closed and closed and asked for a motion on whether the Board had jurisdiction on this application.

Mr. Sheffer moved that the Zoning Board of Appeals has jurisdiction over the matter being requested, seconded by Mr. Shukites.

The motion was approved by unanimous voice vote.

Ms. Litecky asked for a motion on whether the applicant has standing to make this application.

Mr. Sheffer moved that applicant has the standing to make this application, seconded by Ms. Allee.

The motion was approved by a unanimous voice vote.

Ms. Litecky asked for a motion on the finding of fact.

Mr. Sheffer moved that Parts A and B, that the applicant was not present, zero people spoke in favor, zero people spoke in opposition, zero letters in favor or opposition were submitted, two general inquiries were received, all be accepted as the findings of fact, seconded by Ms. Allee.

The motion was approved by a unanimous voice vote.

Ms. Litecky asked for a motion on whether the board would like to vote consider all five criteria as one or separately.

Mr. Sheffer moved to make a motion to consider all five criteria as one, seconded by Ms. Allee.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)  
No – 0

Ms. Litecky stated the motion carries and all criteria will be considered as one.

Ms. Litecky asked for a motion on if the applicant has met all five criteria.

Mr. Sheffer moved that the applicant has met all five criteria, seconded by Ms. Allee.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)

No – 0

Ms. Litecky stated that the Board finds the applicant has met all five criteria for granting a variance.

Ms. Litecky asked for a motion on granting the variance.

Mr. Sheffer moved to grant the variance of ZBA 24-03, seconded by Mr. Shukites.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)

No – 0

Mr. Sheffer made a motion to approve the setback for the primary structure on the north side of the property at 15 feet and to approve the setback for the primary structure on the north side of the property at 7.5 feet upon successful amendment of the subdivision plan (Bittersweet Subdivision, Major SD 06-04) to relocate or remove the ‘15-foot proposed utility easement’ so that the proposed structure would no longer encroach upon it, seconded by Ms. Allee.

Roll Call Vote

Yes – 5 (Shukites, Carrier, Sheffer, Allee, Litecky)

No – 0

Ms. Litecky stated that the variance has been approved.

**5. Old Business:** There was none.

**6. New Business:** There was none.

**7. Adjournment:**

Ms. Litecky adjourned the meeting to begin the Planning Commission meeting.