

**1. Call Meeting To Order**

**2. Roll Call**

**3. Public Participation**

This is an opportunity for the public to provide public comment to the Presiding Officer. Those wishing to speak are required to sign in prior to commencement of the meeting and must address Council from the seat and table provided. The public comments must comply with Ordinance 2014-02 and be limited to 5 minutes or less

**4. Approval Of Meeting Minutes**

June 18, 2018 Planning & Zoning Board meeting minutes

Documents:

[6.18.18 PZB MINUTES.PDF](#)

**5. New Business**

**5.A. Introduction Of Variance Request - 435 S. State St. - City Staff**

Jeffrey Carpenter, owner of the single family residence at 435 S. State Street, has requested a variance to the accessory building setbacks for the purpose of replacing a garage, which is a nonconforming structure.

Documents:

[CARPENTER AD.PDF](#)  
[CONCEPTUAL AND AERIAL.PDF](#)  
[PZB MEMO.PDF](#)

**5.A.i. Project Overview - Petitioner/Staff**

**5.A.ii. Questions & Discussion From The Planning And Zoning Board**

**5.A.iii. Public Testimony Period**

**5.A.iv. Public Hearing Is Closed**

**5.A.v. Action - Planning & Zoning Board**

Documents:

[435 S STATE STREET MOTION.PDF](#)

**6. Meeting Adjourned**

## **MINUTES OF THE MONTICELLO PLANNING AND ZONING BOARD**

**On June 18, 2018**

The minutes of the Planning and Zoning Board on June 18 2018 was held in City Council Chambers of the Municipal Building in Monticello, Piatt County, Illinois. Meeting convened at 7:00 P.M.

City Clerk, Pamela Harlan called the meeting to order at 7:00 p.m. and ask for a motion from the board to appoint an interim chairman in Chairman Hawkins absence. A motion was made by John Frerichs and seconded by Gerald Day to appoint Michael Beem as the interim chairman for the June 18, 2018 meeting. The motion carried with all present being in favor.

Roll call was taken by City Clerk, Pam Harlan.

### **MEMBERS PRESENT:**

Gerald Day, Marthaan Riegel, John Frerichs, Michael Hawkins, Michael Beem, Tim Timmerman, Cindy Breitweiser

Absent: Michael Hawkins

Also Present: Callie Jo McFarland

Public Participation: NONE

### **Approval of Meeting Minutes:**

February 19, 2018 PZB Meeting Minutes

April 16, 2018 PZB Meeting Minutes

A motion was made by Marthanne Riegel and seconded by John Frerichs to approve the Meeting Minutes from February 19, 2018 and April 16, 2018. The motion carried with all present being in favor.

### **New Business**

#### **Introduction of Variance & Conditional Use Permit Request, 785 E. Old Route 47**

Interim Chairman, Michael Beem ask Callie Jo McFarland to give the board an overview of the variance and conditional use. McFarland stated that the applicant- Josh McConkey, owner of single family residence at 785 E. Old Route 47 (RD) currently has two storage sheds in the rear yard of his property. Because they were erected prior to the adoption of the zoning regulation that limits the number of accessory structures to one per parcel, one is considered an existing nonconforming structure. Therefore, any alteration or removal and subsequent addition, must adhere to current zoning standards-requiring a conditional use permit in this instance. The proposed replacement shed is 280sf, which exceeds the maximum allowable area of 200sf for a storage shed. For Mr. McConkey to proceed he is requesting a conditional use permit to allow a second storage shed, and a variance from the 200sf maximum, to allow a replacement shed that is 280sf in size. A public notice was published in the May 30, 2018 Piatt County Journal Republican. McFarland stated also that this is a 2 action notice to help mainstream the process. The board did not have any questions or concerns. The public testimony was opened by Interim Chairman, Michael Beem. The public testimony period was closed by Beem followed by an all in favor vote from the board. A motion was made by John Frerichs and seconded by Gerald Day

to recommend to council for approval of Variance & Conditional Use Permit Request. 785 E. Old Route 47. A voice vote was taken and the motion carried with all present voting yes.

**Introduction of Variance Request, 1800 Walden Drive**

Interim Chairman, Michael Beem ask Callie Jo McFarland to give the board an overview of the Variance request. McFarland stated that Mark & Benita Baker own the single family residence at 1800 Walden Drive, Monticello, zoned Suburban Residential (RS). The property currently has a storage shed in the rear yard, but the owners wish to replace the existing shed with a larger shed that is 16' x 24' in size, or 384sf in area. Monticello Municipal Code Zoning Ordinance limits the size of a storage shed to 200sf, and the owners are requesting a variance to this regulation. Public notice was published in the May 30, 2018 edition of the Piatt County Journal Republican. The board did not have any questions or concerns. The public testimony was opened by Interim Chairman, Michael Beem. The public testimony period was closed by Beem followed by an all in favor vote from the board. A motion was made by Gerald Day and seconded by John Frerichs to recommend to council for approval of Variance Request, 1800 Walden Drive. A voice vote was taken and the motion carried with all present voting yes.

At the conclusion of the meeting Callie Jo McFarland thanked Tim Timmerman for his service to the board. Mr. Timmerman is moving out of the county.

A motion was made by John Frerichs and seconded by Gerald Day to adjourn the meeting @ 7:10 p.m.

Respectfully Submitted by,

Pamela Harlan  
City Clerk

**LEGAL NOTICE OF PUBLIC HEARING UPON  
APPLICATIONS FOR VARIANCE**

A NOTICE IS HEREBY GIVEN that a Public Hearing will be held upon the Application for Variance filed with the City of Monticello Planning & Zoning Board by Jeffrey Carpenter, owner of the property legally described as follows:

Old Town of Monticello - Outlots of Lot 14 and S. 16' of 11 Outlot 9. Said property commonly known as 435 S. State Street, Monticello, Illinois

A public hearing will be held at Planning & Zoning Board meeting scheduled for July 16<sup>th</sup>, 2018 at 7:00 P.M. The meeting will be held in the City Council Chambers, located at 210 N. Hamilton Street in the City of Monticello Illinois. Notice is further given that the above applicant is seeking a variance to the setback requirements for an accessory structure in an Urban Residential (RD) zoned district. All interested persons have the right to appear at the public hearing and present evidence.

Callie Jo McFarland  
Director of Community Development  
City of Monticello

Variance Request- 6.28.18

435 S. State Street

Jeff Carpenter

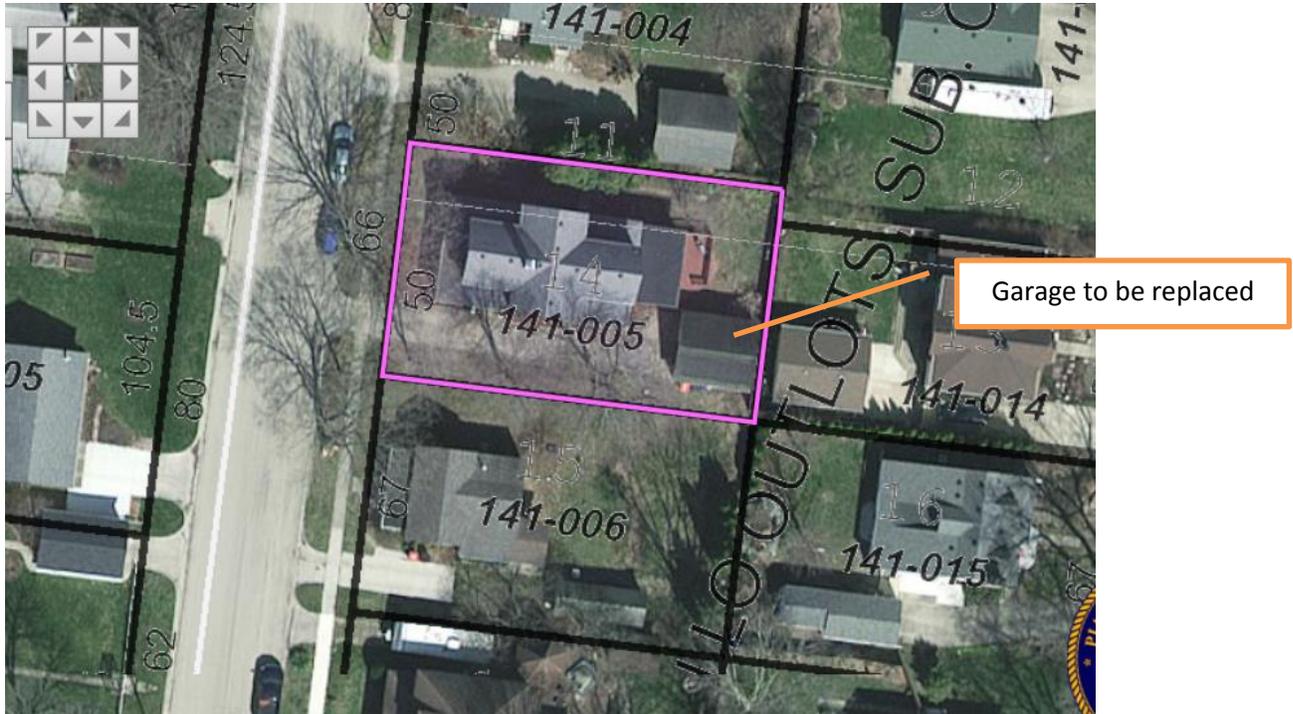


Image is for conceptual purposes only- Actual garage will be shorter in length, with only 1 window.



**PLANNING & ZONING  
BOARD MEETING  
MEMORANDUM**

<b>ITEM:</b> 435 S. State Street, Variance Request	<b>DEPARTMENT:</b> City Administration
<b>AGENDA SECTION:</b> New Business	<b>SUBMITTED BY:</b> Callie Jo McFarland, Community Development Director
<b>ATTACHMENTS:</b> (X) MOTION (X) OTHER SUPPORTING DOCUMENTS	<b>DATE:</b> June 28, 2018

**BACKGROUND:**

Applicant- Jeffrey Carpenter, owner of the single family residence at 435 S. State Street (RD)

Mr. Carpenter currently has an existing garage located at the southeast corner of the property, in the rear yard. Mr. Carpenter has engaged with Bullock Garages to demolish the existing garage and replace with a garage of similar size. As the garage most likely was erected before the City of Monticello zoning was in place, it is considered an existing non-conforming structure, therefore any alterations or replacements must adhere to current zoning standards. The existing garage currently stands 1' from the main structure, and lies on the rear yard property line. The City of Monticello Zoning Ordinance requires accessory structures to be no closer than 10' from the main structure, and 5' from the side and rear property lines. (§153.020, Monticello Municipal Code).

To be able to move forward, Mr. Carpenter has requested a variance to the regulations for an accessory structure, reducing the separation requirement for an accessory structure from 10' to 1', and reducing the rear yard setback from 5' to 0'.

I have enclosed an aerial image of the lot with a conceptual image of the garage location and appearance. Additionally, included is the public notice published in the June 28, 2018 Piatt County Journal Republican, meeting motion, and a meeting agenda.

**RECOMMENDED ACTION:**

It is recommended that the Planning & Zoning Board discuss and make a recommendation to city council on whether to approve or deny this variance request.

MOTION FOR MONTICELLO PLANNING & ZONING BOARD  
Jeffrey Carpenter (Owner) - 435 S. State Street

WHEREAS, the City of Monticello, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures for zoning and the use of land within the Corporate Limits of the City of Monticello; and,

WHEREAS, Jeffrey Carpenter, owner of property legally described as:

Old Town of Monticello - Outlots of Lot 14 and S. 16' of 11 Outlot 9. Said property commonly known as 435 S. State Street, Monticello, Illinois.

Wishes to replace a garage, which is an existing non-conforming structure; and

WHEREAS, any alterations or replacements of a non-conforming structure must conform to the requirements of Chapter 153 of the City of Monticello, Zoning Regulations, and

WHEREAS, in order to proceed, the owner is seeking a variance to the setback requirements for an accessory structure; and

WHEREAS, the variation required is as follows:

A variance reducing the minimum separation distance between a main structure and an accessory structure from 10' to 1'; and

A variance reducing the rear yard setbacks for an accessory structure from 5' to 0'; and

WHEREAS, the City of Monticello Zoning Administrator has reviewed the petitioner's request for a variance and has submitted the petition and supporting documents to Planning & Zoning Board; and

WHEREAS, the Planning & Zoning Board has held a public hearing on July 16<sup>th</sup>, 2018, concerning this matter and comment from the public was solicited and received; and

WHEREAS, the Planning & Zoning Board has reviewed the evidence submitted and other supporting documents, and has considered all the available testimony and facts regarding the subject request.

BE IT THEREFORE RESOLVED this 16<sup>th</sup> day of July, 2018, that the City of Monticello Planning & Zoning Board makes the following recommendation to the City Council of the City of Monticello:

(Approval) (Denial) of the variation, as follows, to the setback requirements for an accessory structure;

A variance reducing the minimum separation distance between a main structure and an accessory structure from 10' to 1'; and

A variance reducing the rear yard setbacks for an accessory structure from 5' to 0'.

The Planning & Zoning Board does further set forth the following findings of facts concerning

the request variances:

1. All procedural matters have been properly complied with.
2. The City of Monticello Zoning Administrator has prepared and submitted background information relevant to this case.
3. That special circumstances or conditions apply to the land for which a variation is sought, and that those conditions do not apply generally in an Urban Residential (RD) zone.
4. Any special circumstances have not resulted from an act of the applicant subsequent to the adoption of the Zoning Ordinance.
5. Special circumstances do exist such that a strict application of the provisions of the Zoning Ordinance would deprive the applicant of reasonable use of his or her land.
6. The variations requested are necessary for a reasonable use of the land for the desired purpose.
7. The variations requested are in general harmony with the general purposes of intent of the Zoning Ordinance.
8. The variations granted will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City ordinances or codes.

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Chairman, Planning & Zoning Board  
City of Monticello