



MINUTES
CITY OF ROCHELLE
PLANNING & ZONING COMMISSION

Monday, May 6, 2024 at 6:00 PM

City of Rochelle Council Chambers—420 North 6th Street, Rochelle, IL 61068

- I. **CALL TO ORDER:** The meeting was called to order at 6:00 p.m. Motion made by Hickey, seconded by McLachlan, **"I move to appoint Claude McKibben as acting Pro Tem Chair."** Ayes: Hickey, McLachlan, Myers, Swinton and McKibben. Nays: None. Motion carried 5-0.
- II. **ROLL CALL:** Present were Commissioners Hickey, McLachlan, Myers, Swinton and McKibben. Absent: Colwill and Wolter. There was a quorum of five. Non-voting Commissioners present were: Charnock, Barber and Tenggren. Absent: None. Also present were Michelle Pease, Michelle Knight and Geoff Starr.
- III. **APPROVE/ACCEPT MINUTES:** McLachlan moved, seconded by Myers, **"I move the minutes of the April 1, 2024 Planning and Zoning Commission meeting as presented be approved."** Ayes: Hickey, McLachlan, Myers, Swinton and McKibben.. Nays: None. Motion carried 5-0.
- IV. **PUBLIC COMMENTARY:** None
- V. **COMMISSIONER COMMENTS:** None
- VI. **BUSINESS ITEMS:**

PZC-2-24 Petition of Felipe Monroy for a proposed variance of lot coverage for the property located at 903 4th Avenue, parcel number 24-24-313-011. Pease stated that a notice was published in the paper and mailed to property owners. Motion made by Myers, seconded by McLachlan, **"I move the Planning and Zoning Commission open the Public Hearing regarding the proposed variance of lot coverage for the property located at 903 4th Avenue."** Ayes: Hickey, McLachlan, Myers, Swinton and McKibben. Nays: None. Motion carried 5-0. The petitioner, Felipe Monroy, is seeking a variance of lot coverage for a proposed garage and potential driveway reconfiguration for the property located at 903 4th Avenue. The property is zoned R3, single family high density residential. Currently, the property is covered approximately 43%. The petitioner is requesting to cover approximately 50%, which is an additional 7% lot coverage with the proposed garage and potential driveway reconfiguration, putting the lot over the allowed lot coverage by 17%. The requested variance of lot coverage for a garage is for personal use on his property which is approximately 124' x 66'. There is an existing detached small one car garage which is not positioned properly on the property to add onto. The small corner lot inhibits the petitioner from additional garage space without a variance of lot coverage.

Sec. 110-111 (1) d. On a single-family lot no more than forty (40%) percent of the rear yard, and **thirty-three (33%) percent of the combined front and side yards**, may be occupied by accessory buildings or uses. Accessory buildings or uses located in the rear yard do not count toward the maximum lot coverage of thirty-three (33%) percent of the lot.

Sec. 110-55 (e). Percentage of required yard occupied. Detached accessory buildings or structures shall not occupy more than 40 percent of the area of a required rear yard or more than 33 percent of all other combined yards. This requirement is in addition to any maximum lot coverage or maximum impervious area coverage requirements that may apply, and under no circumstances shall this requirement lower the minimum established yard setback requirements.

Sec. 110-29 (f). *Standards for a granting a variance.* The planning and zoning commission shall not recommend, and the city council shall not grant, a variance from the regulations of the zoning ordinance unless it makes findings based on evidence presented to it in each specific case that:

- (1) The variance is in harmony with the general purpose and intent of the zoning ordinance;
- (2) The plight of the owner is due to unique circumstances (65 ILCS 5/11-13-4) and thus strict enforcement of the zoning ordinance would result in practical difficulties, or impose exceptional hardships, due to the special and unusual conditions that are not generally found on other properties in the same zoning district;
- (3) The property cannot yield a reasonable return if permitted only under the conditions allowed by the zoning ordinance; and
- (4) The variance, if granted, will not alter the essential character of the locality, and will not be a substantial

detriment to adjacent property.

Sec. 110-29 (g). Burden of proof. In each case of a requested variance, the applicant must satisfy the proof that the proposed variance meets the standards of subsection (f) of this section, even if there is no testimony or other evidence opposing or rebutting the requested variance.

Felipe Monroy, the petitioner, was present to answer any questions regarding the requested variances. Motion made by McLachlan, seconded by McKibben, **"I move the Planning and Zoning Commission close the Public Hearing."** Ayes: Hickey, McLachlan, Myers, Swinton and McKibben. Nays: None. Motion carried 5-0.

Findings: VARIANCE OF LOT COVERAGE

1. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: 5

2. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: 5

3. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: 5

4. Will the proposed variance:

(a) impair light and air to adjacent property;

(b) congest public streets;

(c) increase the risk of fire;

(d) substantially diminish property values within the vicinity; or

(e) endanger the public health?

Yes: _____ No: 5

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that: the Petitioner be granted a variance for the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code. Motion made by McLachlan, seconded by Swinton, **"I move the Planning and Zoning Commission recommend to the City Council that it approve the proposed variance of lot coverage for the property located at 903 4th Avenue, based on the report of findings."** Ayes: Hickey, McLachlan, Myers, Swinton and McKibben.

Nays: None. Motion carried 5-0.

VII. DISCUSSION ITEMS: None

VIII. ADJOURNMENT: Motion made by Myers, seconded by Swinton, **"I move to adjourn the regularly scheduled meeting of the Planning and Zoning Commission of May 6, 2024."** Ayes: Hickey, McLachlan, Myers, Swinton and McKibben. Nays: None. Motion carried 5-0. The Planning and Zoning Commission adjourned at 6:21 p.m.

Michelle Knight

Community Development Specialist