

**MINUTES OF ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS  
MEETING**

January 14, 2010  
7:30 P.M.

1. Roll Call/Call to Order
2. Approval of minutes of Zoning and Planning Commission / Zoning Board of Appeals for meeting held on 12/10/2009
3. Case # 10ZBA-01/Nagy Variation 565 S. Swain Avenue  
Request for Front Yard Setback Variation for the purpose of constructing a front porch on property commonly known as 565 S. Swain Avenue  
**Public Hearing. All properties within 500 feet have been notified.**
4. Case # 10P-01/Elmhurst Memorial Healthcare Amended Planned Development Conditional Use, Conditional Use Permit for non-accessory parking (Lot 2), Map Amendment and Subdivision  
Request for Amended Planned Development Conditional Use, Conditional Use Permit for non-accessory parking, Map Amendment (upon annexation) and Subdivision on properties commonly known as 1100, 1200 and 1400 S. York Street.  
**Public Meeting. All properties within 500 feet have been notified.**  
**Public Hearing will be held January 28, 2010**
5. Case # 09P-07/Bethel United Church Amended Conditional Use and associated Front Yard Setback Variation  
Request for Amended Conditional Use and associated Front Yard Setback Variation for the purpose of constructing a fellowship hall, the adaptive renovation of an existing residence for use as an administrative center, as well as other site improvements on properties commonly known as 315 E. St Charles, and 314 and 316 Huntington Lane (PIN's 06-12-200-007, 018 & 019), said properties being wholly located in the R2 Single Family Residence District.  
**Deliberation -Public Hearing held 9/24/2009 & 10/08/2009.**  
Note – The Applicant is requesting a continuance of the deliberation of this Case to February 25, 2010.
6. Other Business

Commission Members Present: Brinkmeier, Corrado, DeWitt, Frolik, Hill, McCoyd, Mushow, Slone,

Commissioner Members Absent: Whistler

City Staff Present: Peppers, Werner

After a roll call establishing a quorum, Mr. Werner requested a motion to install Commissioner Mushow as Acting Chairman for tonight's meeting. Commissioner Corrado moved to install Commissioner Mushow as Acting Chairman for tonight's meeting. Commissioner Slone seconded and, with a voice vote being all ayes, the motion passed.

Acting Chairman Mushow requested a motion to approve the Zoning and Planning Commission meeting minutes for December 10, 2009. Commissioner Slone noted that the draft minutes did not indicate that she recused herself from Case 09P-12/Pump-It-Up because of a business relationship with the Applicant. Commissioner Corrado moved to approve the minutes of the December 10, 2009 Zoning & Planning Commission/Zoning Board of Appeals meeting as amended to include Commissioner Slone's recusal from Case 09P-12. Commissioner Hill seconded and, with a roll call vote being all ayes, the motion passed.

Mr. Werner reviewed the agenda and noted that the Applicant for agenda item # 3, Case # 10ZBA-01/Nagy Variation, 565 Swain phoned this morning withdrawing his application; the Applicant purchased another house in Elmhurst and, therefore, did not wish to proceed with the variation request. Mr. Werner advised the Commission/Board that no further action was necessary.

Mr. Werner also noted that the Applicant for agenda item # 5, Case # 09P-07/Bethel United Church Amended Conditional Use and associated Front Yard Setback Variation, is requesting a continuance of the deliberation to February 25, 2010. Mr. Werner explained that the Applicant had requested a continuance to this date, but they were not ready to apply for their additional variation request. Bethel Church will also be petitioning for a height variation of two (2) feet for the proposed addition due to design issues associated with floor height matching the existing building. As a result, the Applicant will have to apply for a variation with the public hearing scheduled for February 25, 2010. The two cases will then be merged into one report for City Council. Commissioner Corrado moved to continue the deliberation of Case # 09P-07/ Bethel United Church to February 25, 2010. Commissioner DeWitt seconded and, with a voice vote being all ayes, the motion passed.

Mr. Werner then introduced agenda item # 4 Case # 10P-01/Elmhurst Memorial Healthcare Amended Planned Development Conditional Use, Conditional Use Permit for non-accessory parking (Lot 2), Map Amendment and Subdivision. Mr. Werner stated that because of an error in the notification stating that the meeting was to be held January 14, 2009 and not January 14, 2010, the Public Hearing had to be re-noticed for January 28, 2010. Rather than canceling the meeting, and knowing that people would show up thinking that tonight was the public hearing, it was decided to have the Applicant make a short presentation about what they are requesting. Although no questions would be allowed, this presentation will enable Commission members as well as members of the audience to better understand the request(s) and prepare for the Public Hearing scheduled for January 28, 2010.

Mr. Leo Fronza introduced himself and Mr. Scott Day, attorney at law, who made the presentation outlining the requests for Amended Planned Development Conditional Use, Conditional Use for non-accessory parking, Map Amendment and Subdivision.

Under Other Business, Mr. Werner advised the Commission of the status of current cases and upcoming cases.

The meeting was adjourned at 8:00 PM.

Submitted by: Nathaniel J. Werner AICP, Planning and Zoning Administrator