

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

December 9, 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 November 11, 2010
3. Case Number 10P-11/Thornton's Conditional Use and Associated Variations  
Request for Conditional Use Permit and Associated Variations for the purpose of constructing and operating a gasoline station and convenience store on property commonly known as 476 N. York Street. (PIN 03-35-406-048 & 049), said property being wholly located in the C2 Community Shopping and Service zoning district.

**Continued Public Hearing from August 26, September 23, and October 28, 2010**

**Note: The Applicant has withdrawn this request – this Case # P10-11 is officially closed**

4. Case Number 10ZBA-10/Power Distributing Variation  
Request for Fence Height Variation for the purpose of erecting a six (6) foot high chain-link fence in the front yard for security purposes on property commonly known as 185 Industrial Drive (PIN 03-35-202-003), said property being wholly located in the I1 Restricted Industrial District.

**Public Hearing – All properties within 500 feet have been notified**

5. Case Number 10P-15/McKenna Conditional Use and Associated Variations  
Request for Conditional Use and Associated Variations for the purpose of constructing a six (6) townhome development on property commonly known as 357 W. First Street (PIN 06-02-112-032), said property being wholly located in the O1 Office District.

**Public Hearing – All properties within 500 feet have been notified**

6. Other Business

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

Commissioner Members Absent: Frolik

City Staff Present: Werner

After a roll call establishing a quorum, Chairman Whistler requested a motion to approve the Zoning and Planning Commission meeting minutes for November 11, 2010. Commissioner Mushow moved to approve the minutes of the November 11, 2010 Z&P Commission meeting as written. Commissioner Corrado seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler announced that in regards to agenda item #3, Case # 10P-11/Thorntons Conditional Use and Associated Variations, the Applicant has withdrawn their request; Case # 10P-11 is officially closed.

Chairman Whistler opened the public hearing for Case # 10ZBA-10/Power Distributing Variation, which is a request for a fence height variation in the front yard from 3 feet to 6 feet on property commonly known as 185 W. Industrial. After testimony was received from the Applicant and there being no interested parties in the audience, Chairman Whistler closed the public hearing portion of this case. Commissioner Corrado moved to deliberate this case this evening. Commissioner Brinkmeier seconded and, with a voice vote being all ayes, the motion passed.

Chairman Whistler opened the public hearing for Case # 10P-15/ McKenna Townhomes Conditional Use and Associated Variations, which is a request to build six (6) townhomes on property commonly known as 357 W. First Street. After all testimony was received from the Applicant and interested persons in the audience, Chairman Whistler closed the public hearing portion of this case.

The Commission/Zoning Board of Appeals then deliberated Case # 10ZBA-10/Power Distributing Variation. The Board reviewed the Standards for Variations and noted that the Applicant has met all of the Standards. The Zoning Board of Appeals, on a motion duly made and seconded, then voted unanimously to approve the request for fence height variation. Note: The Zoning Board of Appeals, pursuant to 3.8-6k of the Elmhurst Zoning Ordinance, has final authority in this case.

Other Business – Mr. Werner briefed the Commission on upcoming cases as well as the status of current cases before the DPZ Committee and City Council. Mr. Werner also advised the Commission that School District 205, as Applicant for Case # 10P-12/York High School Lights, has requested that the scheduled continued public hearing for January 13, 2011 be postponed to January 27, 2011 due to a scheduling conflict. Mr. Werner stated that this change will allow two front porch variation requests to be heard on January 13, 2011, as well as the deliberation of Case # 10P-15/McKenna Townhomes Conditional Use and Associated Variations. Case # 10P-12/York High School Lights will be the only agenda item on January 27, 2011.

The meeting was adjourned at 9:30 P.M.

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