

MINUTES OF COMMISSION MEETING

June 28, 2007

7:30 P.M.

ZONING AND PLANNING COMMISSION / ZONING BOARD OF APPEALS

1. Roll Call/Call to Order
2. Approval of Minutes of Zoning and Planning Commission / Zoning Board of Appeals Meeting: June 14, 2007
3. Case Number 07 ZBA - 12 / Pivoney Variation @ 232 Grace Avenue
Request for an average front yard setback variation pursuant to Chapter 7, Part A, 4.c of the Elmhurst Zoning Ordinance for the purpose of constructing a structure on the property commonly known as 232 Grace Avenue
Public Hearing: All properties within 500' have been notified.
4. Case Number 07 ZBA - 13 / Willis Variation @ 164 Clinton Avenue
Request for an average front yard setback variation pursuant to Chapter 7, Part A, 4.c of the Elmhurst Zoning Ordinance for the purpose of building a structure on the property commonly known as 164 Clinton Avenue
Public Hearing: All properties within 500' have been notified.
5. Case Number 07 P - 03 / Suburban Bank Drive - Thru @ 130 Park Avenue
Request for a Conditional Use Permit to construct and operate a bank drive-through pursuant to Section 8.6-2.7 of the Elmhurst Zoning Ordinance on the property commonly known as 130 Park Avenue
Deliberation: Public Hearings held May 10, 2007 & May 24, 2007.
6. Other Business

***The transcript of proceedings is the official record of the hearing and it is not intended that these minutes are a substitute for that transcript pursuant to the Open Meetings Act.**

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

City Staff Present: Werner

Chairman Whistler opened the meeting at 7:30 PM and requested a role call. Chairman Whistler asked for a motion to approve the minutes of the June 14, 2007 Zoning & Planning Commission meeting. Commissioner Corrado motioned to approve the minutes from the June 14, 2007 Zoning & Planning Commission meeting, Commissioner Mushow seconded. With a voice vote being all ayes, the motion was approved.

Chairman Whistler then opened the Public Hearing for Case Number 07ZBA-12/Pivoney Variation 232 S. Grace. This is a request for a front yard variation for the purpose of constructing a front porch. The applicant, Mr. Mark Pivoney, presented the application to the Board. After all testimony was given, Mr. Pivoney requested that the Board deliberate the case this evening. Commissioner Slone moved that the Board deliberate subject case this evening, Commissioner Mushow seconded. On a voice vote being all ayes, the Board agreed to deliberate the case following the Public Hearings.

Chairman Whistler then opened the Public Hearing for Case # 07ZBA-13/Willis Variation 164 N. Clinton. This is a request for a front yard variation for the purpose of constructing a front porch. Mr. Timothy Willis, owner, and Mr. Richard Barnes, architect and applicant, presented the application to the Board. After all testimony was presented, Mr. Barnes requested that the Board deliberate the case this evening. Commissioner Brinkmeier moved that the Board deliberate subject case this evening, Commissioner Corrado seconded. On a voice vote being all ayes, the Board agreed to deliberate the case following the Public Hearings.

The Zoning and Planning Commission then deliberated Case # 07P-03/Suburban Bank and Trust request for a Conditional Use Permit for the purpose of establishing a drive-through banking facility. After much discussion, the Commission unanimously voted to recommend that the City Council deny the application. The Commission found that the proposed drive-through would be a hazard to pedestrians in the downtown, and that the proposed drive-through was contrary to the objectives of the Downtown Plan adopted in 2006.

The Board then deliberated Case # 07 ZBA-12/Pivoney Variation. After discussion and review of the three criteria relative to variation requests, the Board voted unanimously to approve the applicants request. The Zoning Board of Appeals does not have final authority in this case; it will be forwarded to the Development, Planning and Zoning Committee of City Council for their review and recommendation.

The Board then deliberated Case # 07 ZBA-13/Willis Variation. After discussion and review of the three criteria relative to variation requests, the Board voted unanimously to approve the applicants request as presented. The Zoning Board of Appeals has final authority in this case.

Under other business, Staff briefed the Commission on upcoming cases noting that there were no items for the July 12, 2007 meeting. Staff also briefed the Commission that Elmhurst Memorial Hospital's request for annexation and rezoning will be scheduled for July 26, 2007 at 7:30 P.M. as Case # 07P-04. Chairman Whistler stated that he intends to recuse himself from the Commission for this case because he is on the Hospital Board of Trustees. It was the consensus of the Commission that Commissioner Paul DeWitt will be the acting chairman for the hospital case.

The meeting was adjourned at 9:55 PM.

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