



DEKALB PLANNING AND ZONING COMMISSION AGENDA

November 2, 2020

6:00 P.M.

DeKalb Public Library
Yusunas Meeting Room
309 Oak Street
DeKalb, Illinois 60115

PLANNING AND ZONING COMMISSION MEETING

COVID-19 Notice: This meeting will be conducted in-person with a physically present quorum and open to the public. The corporate authorities of the City of DeKalb intend to conduct this meeting in compliance with all applicable social distancing and public health requirements. All persons attending this meeting in-person shall be required to wear protective face masks/coverings. Furthermore, the corporate authorities of the City of DeKalb intend to conduct this meeting pursuant to Illinois Governor JB Pritzker's Executive Order 2020-56 dated October 2, 2020 (the "Executive Order"), which prohibits gatherings of more than 25 people, unless the City of DeKalb determines that it is necessary to invoke the Governmental Functions exemption contained in Section 4(c) of Executive Order 2020-43 "to ensure the operation of government agencies or to provide for or support the health, safety and welfare of the public."

As a convenience to the public, the City of DeKalb may also provide video, audio, telephonic or internet access for the public to monitor this meeting. The provision of any such remote means of access is not intended to provide for attendance by a means other than physical presence due to the COVID-19 public health emergency, nor is it intended to provide an opportunity for the public to address public officials, make public comment or otherwise participate in the meeting.

Persons wishing to provide public comment or otherwise address public officials in person during this meeting must comply with all applicable rules governing the conduct of this meeting including, but not limited to, the aforementioned social distancing and face covering requirements.

The City of DeKalb is providing the following conveniences for the public to monitor and participate in this meeting:

- Persons wishing to view the meeting from home or elsewhere can tune in to Channel 14 or by following the link provided [here](#).
- Persons wishing to provide public comment but are unable to attend the meeting in person or remotely may forward their comments by clicking on the link provided [here](#). Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure dissemination to the Planning and Zoning Commission before the meeting convenes.
- **Zoom Meeting Information**
Join Zoom Meeting <https://us02web.zoom.us/j/83532457176?pwd=M3VzRUw5VmdwWG0xVXVlWHh4WHYxUT09>
Meeting ID: 835 3245 7176
Passcode: 891769
One tap mobile: +13126266799,,83532457176#,,,,,0#,,891769# US (Chicago)
- For those participating via Zoom and wishing to comment during the public hearing portion of the meeting, please click on the link provided [here](#) and add in the Comment Section that you wish to address the Commission verbally. Note that all submissions must be received no later than 12:00 p.m. on the day of the meeting in order to ensure your name is added to the list of remote speakers.

A. ROLL CALL

B. APPROVAL OF AGENDA (Additions or Deletions)

C. APPROVAL OF MINUTES

1. October 19, 2020

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

E. NEW BUSINESS

1. **Public Hearing** – A petition by Randi Hoffstead for a special use permit to establish a video gaming establishment (CJ's Gaming) at 2022 Sycamore Road.

F. REPORTS

G. ADJOURNMENT

MINUTES
CITY OF DEKALB
PLANNING AND ZONING COMMISSION
October 19, 2020

The Planning and Zoning Commission held a meeting on October 19, 2020, at the City of DeKalb Police Station in Training Room #203, 700 W Lincoln Highway, DeKalb, Illinois. Chair Max Maxwell called the meeting to order at 6:00 PM.

Chair Maxwell stated he wanted to thank everyone for being here tonight. He mentioned for those attending, the meeting room has been set up to meet the CDC recommended distancing guidelines and the Executive Order from the Governor.

A. ROLL CALL

Recording Secretary Aaron Walker called the roll. Planning and Zoning Commission members present were: Chair Max Maxwell, Ron Klein, Bill McMahon, Steve Becker, Trixy O'Flaherty, and Jerry Wright. Vice Chair Christina Doe was absent. Principal Planner Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the October 19, 2020, agenda as presented. Mr. McMahon motioned to approve the agenda as presented. Mr. Becker seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. October 5, 2020 – Chair Maxwell requested a motion to approve the October 5, 2020, minutes as presented. Mr. Becker motioned to approve the minutes as presented. Ms. O'Flaherty seconded the motion, and the motion was approved by unanimous voice vote.

D. PUBLIC PARTICIPATION (Open Floor to Anyone Wishing to Speak on Record)

None

E. NEW BUSINESS

1. **Public Hearing** – A petition by Roger and Cary Nelsen for approval of a variance to Article 7.04.4(a) of the Unified Development Ordinance (UDO) to allow an addition onto a detached garage to encroach 7 feet into the required

10-foot setback for an accessory structure next to an alley for the property located at 216 N. 1st St.

Roger Nelsen, of 216 N 1st St, advised he bought the property approximately four years ago. He noted the property was in bad shape and had been vacant, vandalized, and dilapidated for several years. He stated, since he purchased the property, he has made several improvements to the home totaling over \$100,000. He advised he is now looking to invest in the exterior of the property, including the garage.

Mr. Nelsen said the subject property is historical and listed in Steve Bigolin's "Landmarks of Barb City". He noted the book specifically talks about the garage as a "Coachman's Quarter". He stated several people advised him to tear down the garage, but he wants to save it and preserve its historical value.

Mr. Nelsen mentioned a major flaw of the garage is the second-floor overhang. He advised it's in very poor condition and wants to make sure the structure is sound and secure. He stated his proposal is to break up the cement underneath the second-floor overhang, build a foundation, then build walls to support the second floor.

Mr. Nelsen noted the garage doors will stay the same design. He mentioned the current doors are 10 ft and 7.5 in width and the new doors will be approximately 9 ft wide. Mr. Nelsen added they will be keeping the hayloft door on the second level.

Mr. Nelsen stated the base of the structure is currently 7 ft from the lot line (alley) and the Unified Development Ordinance requires a 10 ft setback. He stated after the first floor is extended to match the second floor, the garage will be very close to the lot line. He mentioned once the first floor is extended, he will work on the rest of the garage, including the siding.

Mr. Klein questioned if Mr. Nelsen will be extending straight down from the second-floor wall. Mr. Nelsen advised they will be expanding the first floor to match the second-floor building line.

Mr. Becker questioned if other properties on the alley encroach into the 10 ft required setback. Mr. Nelsen advised other properties in the alley already encroach into the 10 ft setback.

Principal Planner Dan Olson went through the staff report dated October 15, 2020. He stated the UDO requires garages which enter directly onto an alley to be setback 10 ft from the alley right-of-way. He advised the second story overhang on the detached garage is currently 3.6 ft from the alley right-of-way.

He noted the first floor build out will increase support for the structure and make it safer.

Mr. Olson said the reasoning for the 10 ft setback is for vehicle maneuverability onto the alley, which isn't an issue for this property because of the parking lot on the other side of the alley. He mentioned the petitioner would not be able to make upgrades to the garage without a variance because the UDO prohibits additions or improvements to a structure that would bring it further into non-compliance.

Mr. Olson stated the detached garage was built in 1905 and was not designed to accommodate modern vehicles. He noted the need for a variance was not caused by the applicant. He said the garage is highly visible from the Glidden Parking Lot and the improvements related to the variance will only improve its appearance.

Mr. Olson advised there are other garages and structures along the alley between Locust St. and Oak St. that are within the 10 ft setback, so the improvement will not be out of the ordinary for the neighborhood. He noted the new addition will require a permit and inspections through the City to ensure it meets the standards in the UDO and building codes.

Mr. Olson advised a Citizen's Response Form was received from a Robert W. Carlson, owner of 118-126 Oak St, indicating support for the variance request.

Chair Maxwell gave the public an opportunity to speak. There was none.

Chair Maxwell gave Commission members an opportunity to speak.

Mr. Wright questioned what property was on the other side of the alley. Mr. Nelsen advised it was City property and Mr. Olson clarified it is the Glidden Parking Lot.

Chair Maxwell questioned if there is any precedent for non-conforming structures prior to changes to the UDO or building code. Mr. Olson advised if a property or use is abandoned for 6 months or more, if a structure is damaged by more than 50% of its value, or if significant changes are made to non-conforming structures, then they must comply with the current standards.

Mr. Wright questioned what the second floor is currently used for. Mr. Nelsen advised it is only used for storage. He advised it appears to have been used for living quarters in the past.

Mr. Klein advised he frequently drives by the area and will miss the uniqueness of the garage, but still supports the proposal.

Mr. Wright questioned what the purpose for the 10 ft setback requirement in the UDO is. Mr. Olson advised the setback is for vehicle maneuverability, such as vehicles turning around or trucks for garbage pick-up.

Mr. McMahon questioned if expanding the first floor would interfere with garbage pick-up. Mr. Nelsen stated it would not.

Ms. O'Flaherty moved the Planning and Zoning Commission approve a variance to Article 7.04.4(a) of the Unified Development Ordinance to allow an addition onto a detached garage to encroach 7 feet into the required 10 foot setback for an accessory structure next to an alley for the property located at 216 N. 1st St. as shown on the site plan dated 9-9-20 labeled as Exhibit A and per the architectural elevation dated 10-8-20 labeled as Exhibit B.

Mr. Klein seconded the motion.

A roll call vote was taken. Mr. Klein – Yes, Ms. O'Flaherty – Yes, Mr. McMahon – Yes, Mr. Becker – Yes, Mr. Wright - Yes, Chair Maxwell – Yes. Vice Chair Doe was absent. Motion Passed 6-0-1.

F. REPORTS

Mr. Olson advised Mr. John Pappas met with residents to discuss the rezoning of the City Hall Block (200 S. 4th St.). He noted the elevations have changed, density reduced, and the community gardens have been added back to the plans based on resident feedback. He advised the ordinance rezoning the property will be considered by the City Council on October 26, 2020

Mr. Olson mentioned the former Campus Cinemas building (Blackhawk Rd. and W. Hillcrest Dr.) is currently being demolished and should be completed in the next two weeks. He noted the improvements to Gurler Rd from the Facebook and Ferrara projects are finishing up and the roundabout is complete at Gurler and Peace Roads.

G. ADJOURNMENT

Mr. Wright motioned to adjourn, Ms. O'Flaherty seconded the motion, and the motion was approved by unanimous voice vote. The Planning and Zoning Commission Meeting adjourned at 6:21 PM.