

MINUTES  
CITY OF DEKALB  
**PLANNING AND ZONING COMMISSION**  
February 21, 2023

The Planning and Zoning Commission held a meeting on February 21, 2023, in the Yusunas Meeting Room at the DeKalb Public Library, 309 Oak St. DeKalb, Illinois. Chair Max Maxwell called the meeting to order at 6:00 PM.

A. ROLL CALL

Recording Secretary Stephanie Turner called the roll. Planning and Zoning Commission members present were: Steve Becker, Trixy O’Flaherty, Maria Pena-Graham, Shannon Stoker, and Chair Maxwell. Jerry Wright and Bill McMahon were absent. Planning Director Dan Olson was present representing the City of DeKalb.

B. APPROVAL OF THE AGENDA (Additions/Deletions)

Chair Maxwell requested a motion to approve the February 21, 2023, agenda as presented. Ms. O’Flaherty motioned to approve the agenda as presented. Ms. Stoker seconded the motion, and the motion was approved by unanimous voice vote.

C. APPROVAL OF MINUTES

1. February 6, 2023 –Chair Maxwell requested a motion to approve the February 6, 2023, minutes as presented. Ms. Stoker motioned to approve the minutes as presented. Mr. Becker 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 Samuel Burnoski for a special use permit at 1104-1106 Lewis St. to allow the resubdivision of a “RC-1” Two Family Residential zoned lot into two single-family attached lots in accordance with Article 5.14.07.7 of the Unified Development Ordinance (UDO) and a request for a variance to Article 5.14.07.7.g.1 of the UDO regarding the minimum lot size for one of the single-family attached lots.

Samuel Burnoski, owner of property at 1104-1106 Lewis St., said he is requesting to split the parcel into two separate lots with one single-family attached dwelling on each lot. Mr. Burnoski explained the lot line would run along the shared wall of the attached dwelling and the request for a variance is due to the house not being built on the center of the lot. Mr. Burnoski explained that lot 1 would be under the 3,500 sq. ft. minimum lot size requirement in the UDO by approximately 100 sq. ft.

Planning Director Olson covered the Staff Report dated February 16, 2023, and mentioned there have been a couple similar requests to this one in the past couple years. He mentioned the property consists of a duplex in which the owner wants to

create two lots which requires a special use permit and a minor subdivision plat. Mr. Olson re-iterated when the home was built, it was not built on the center of the lot so that leads to the difference in lot sizes.

Mr. Olson continued by stating a straight lot line along the party wall, even with a lot size under the 3,500 sq. ft. minimum, makes more sense than creating a jagged lot line to ensure the size of both lots meet the standard. He stressed there will be no changes to the home and a common wall agreement has been submitted and will be recorded with the plat. Planning Director Olson said the request meets all the standards in the UDO, except the variance. He discussed the requirements including separate utilities which is shown on the plan and handed out to the Commission. Mr. Olson added any easements will be addressed on the recorded plat.

Mr. Olson informed the Commission that two public comments were received for this request. He spoke on the first being from Arland Prestidge of 1123 Lewis St. who had concerns about the owner adding a dwelling unit to the property. Mr. Olson said he informed Mr. Prestidge there would be no additional unit which addressed his concerns. Mr. Olson also noted a public response form was received from Jean Perkins of 638-640 N. 11<sup>th</sup> St. objecting to the request with no reason provided.

Chair Maxwell asked if there were any comments from the public in which there were none.

Chair Maxwell asked if there were any questions or comments from the Commission members.

Ms. O'Flaherty's only concern was with the separate water and sewer service which was discussed and addressed.

Mr. Becker stated any time you can provide ownership equity it's an improvement.

Samuel Burnoski mentioned there was conversation amongst neighbors with confusion of another dwelling unit being added and he wanted to clear that up with them.

Ms. Pena-Graham moved that based on the submitted petition, testimony presented and findings of fact, the Planning and Zoning Commission forward its findings of fact and recommend to the City Council approval of a special use permit to allow the Resubdivision of a "RC-1" Residential Conservation Zoned Lot into Two Single-Family attached lots in accordance with Article 5.03.06 of the UDO for the property located at 1104-1106 Lewis St. and approval of the Final Plat of Burnoski Subdivision dated 1-25-23 labeled as Exhibit A subject to all staff comments being addressed prior to the recording of the Plat.

Ms. O'Flaherty seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O'Flaherty – Yes, Ms. Pena-Graham – Yes, Ms. Stoker- Yes, Chair Maxwell – Yes. Jerry Wright and Bill McMahan were absent. Motion passed 5-0-2.

Ms. Stoker moved that based upon the submitted petition and testimony presented, and findings of fact, the Planning and Zoning Commission approve a variance to Article 5.14.07.7.g.1 of the UDO regarding the minimum lot size for Lot 1 as shown on the Final Plat of Burnoski Subdivision dated 1-25-23 labeled as Exhibit A.

Mr. Becker seconded the motion.

A roll call vote was taken. Mr. Becker – Yes, Ms. O’Flaherty – Yes, Ms. Pena-Graham – Yes, Ms. Stoker- Yes, Chair Maxwell – Yes. Jerry Wright and Bill McMahon were absent. Motion passed 5-0-2.

#### F. REPORTS

Planning Director Olson announced the next meeting is set for Monday, March 6<sup>th</sup> which will likely be cancelled due to no hearing being scheduled at this time. He added the City Council recently approved the cannabis dispensary at 305 E. Locust St. and the text amendments to the UDO regarding the parking regulations.

#### G. ADJOURNMENT

Mr. Becker 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 6:16 PM.

Minutes prepared by: Stephanie Turner Approved: April 3, 2023