

Sangamon County, Illinois
ZONING BOARD OF APPEALS

The Zoning Board of Appeals met on **November 21, 2019** at 7:00 P.M. in the County Board Chamber in the County Complex.

ATTENDANCE (X) denotes present

(X) Chairman Chimento	(X) Committee Member Mares
(X) Committee Member Wulf	(X) Committee Member Sudeth
(X) Committee Member Spiro	(X) Committee Member Beaty

STAFF PRESENT:

Steve Keenan, Senior Planner, Spfld-Sang County Regional Planning Commission
Emily Prather, Associate Planner, Spfld-Sang County Regional Planning Commission
Trustin Harrison, Zoning Administrator, Sangamon County Zoning

Chairman Chimento called the meeting to order.
Approval of **October 17, 2019** Minutes

Committee Member Don Wulf made a motion to approve the October minutes.

Committee Member Tony Mares seconds the motion.
Motion carries 5/0/0

Docket 2019-036 Paul R. LeJeune for property located at 425 N. Dirksen Parkway, Springfield, IL 62702

PETITIONER(S): Paul R. LeJeune

OBJECTOR(S): Yes

PRESENT ZONING CLASSIFICATION: "B-3" General Business District

REQUESTING: Petitioner requests pursuant to Chapter 17.58 and Section 17.26.020 a Conditional Permitted Use for a tavern (approximately 600 sq. feet); and, pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately eight (8) feet from a residence instead of the required one hundred (100) feet.

Paul R. LeJeune was sworn in.

Prather: The petitioner has requested a Conditional Permitted Use for a tavern (approximately 600 sq. feet); and, pursuant to Chapter 17.66, a variance of Section 17.58.080(D)(4) to allow a tavern property line to be approximately eight (8) feet from a residence instead of the required one hundred (100) feet.

STAFF RECOMMENDATION: Recommend approval of the requested Conditional Permitted Use with the following conditions: 1) the tavern is limited to the existing building footprint of approximately 600 square feet, 2) no live entertainment and dancing are allowed, and 3) the hours of operation are limited to the Sangamon County Liquor Ordinance. Recommend approval of the requested variance. The proposed tavern is bound on all four sides by commercial zoning and fronts along a commercial corridor where businesses of this nature are most likely and preferred to be located. In the immediate two block area fronting on North Dirksen Parkway, the County Board has granted Conditional Permitted Uses for taverns or packaged liquor stores and variances to allow them within 100 feet of residences in 3 out of 4 zoning cases. Therefore, the County Board has created a trend for granting requests similar to what is being proposed by the petitioner. The Standards for Variation are met.

ZBA Chimento: Ok, any questions? County board? Objectors?

Nick Welch was sworn in.

Welch: I am representing the lady that lives right behind the building. What do you need to know anything else?

ZBA Chimento: Why you're objecting...

Welch: Oh. The first thing is...I know Paul was here one or two months ago. And you guys voted him 5/0 for a facility. One of the things he said...was he was trying to have some free time and use the area of town he's invested in and have the same customers come back and frequent me in a different manner. There are pure gaming places on Clear Lake. I went up and down street and got a petition signed. I got 28/29 members of the county board that said yes they thought a good business plan and Trustin thought it was a good business plan. Clear Lake is going downhill but I have been a staple on that street for three decades. I go to church around the corner at St. Cabrini the little old ladies at my church...

Harrison: Mr. Chairman...the statement you are referring to is a previous zoning case.

Welch: Correct.

Harrison: Ok, well at this point...we have already heard that. Your objection needs to be heard on this case.

ZBA Chimento: Yea.

Welch: What I am saying is, is what his rational for presenting his last case is totally in conflict with presenting this case. Does that make sense?

ZBA Chimento: No.

Welch: a month ago he was here justifying his rationale. And he got one approved and got annexed to the city and had a conflict with the city

ZBA Chimento: The city laws are totally different than the county. And he couldn't comply with the city laws, that's why he didn't want it.

Welch: Ok. I gathered that. The next thing I like to do is highlight the map...and there were 3 out of 4 zoning cases were approved. I wanted to give some historical perspective on those. One of those properties goes from Dirksen, Carpenter and all the way east. So it encompasses the full block and it's owned by Don Moushon; and I have a note from him stating he's not really in favor of this. But the thing about it is, is the property that's within 100' residentially of the property is nowhere near the bar. The bar is like the closest to Carpenter and Dirksen. And this house is down around the corner on Enos behind a Zbart so it's totally buffered and buffered by Sun Down tanning and there's no possibility of a nuisance or a trespass, so what I am trying to say is that there are particular circumstances that went in to the decisions that were made on these other properties that are now being overlooked in this one. By just saying three out of four or two out of three, for example, ok that's that property. The other property is the old note place it was Russell's years ago...let me go back to the one I just came off of...it was originally a place where they sold mobile homes/trailers. Mr. Woodrum had it, it was a giant lot. That's why this property is so big. The Russell's pizza on corner of Linden and Dirksen, what I like to point out is that everyone one of these...they were approved with cheviots like this one here, if you go back I put the case in there but recommended approval of the requested variance to allow package liquor sales within 100' of a residence. The street Colby acts as a buffer between the residential area to the west and the proposed packaged liquor establishment. In zoning case 1995-02 which granted permanent use for a tavern required that a privacy fence with no opening be constructed and the standards for variations are met. So, as this is being looked at now it was just passed but it passed under these criteria. It would require a buffer zone with Colby, it required a fence and none of this is being incorporated into today's case. Additionally all the cases that were mentioned that are referenced and this trend, are all corner lots/taverns. This property that we are talking about is an internal lot. The one that was the trailer park...had three streets that it went out on.

Harrison: Mr. Chairman, as Nick has pointed out comparison on the previous zoning cases that were passed. I think the best case is to let planning commission explain some of the differences between these cases that might answer the discrepancies that you are putting forth and little more clarification. If that's ok with you Mr. Chairman?

ZBA Chimento: That's fine with me.

Prather: Three of the four cases that we are talking about, if all of you have our staff recommendation on the map...we have two taverns that are listed and then one of the taverns listed is strip commercial that also has a tavern. Those are the three cases that we are talking about that were approved by the county board and then the one that is pointed to as a convenience store that is the one that's the denial. We did look at the fact that all of those front along Dirksen, with the residences behind. Dirksen is a place where you would expect a business like this with heavy traffic, so that is one of the reasons why we approved those and then another reason why we are also recommending approval of this one.

ZBA Chimento: Ok.

Prather: Trustin also pointed out, how this one is also not on a corner lot it's one of the interior lots, as you can see specifically on the block it goes from tavern to the requested location then an auto service and another auto sales business and then another tavern and smoke shop, is what makes up that block.

Welch: So, what we were getting for the first time is an interior tavern not on a corner. It is not part of any trend. We are starting a new trend with this situation if this occurs. Additionally the trends aren't really

trends, for example the original property that was the trailer park, where he sold mobile homes it became alcohol. That's legit. The second one that became alcohol is what is now Miss Kimmees, it was originally zoned as packaged liquor. When Miss Kimmees came in...it wasn't an upward trend it was a sideways trend...it went sideways from a package to pour. Ok, so that's not really an increase. And the same with the additional one they are referencing it went in the same property as Russell's pizza and all of that was down there at Parkway Pub and had liquor and was a 3am license. That's been there forever. So they are conflating corner bars with interior lots and the trends, for example the property with Evergreen Market at Dirksen and Carpenter was rejected...you voted it down 3/2 it broke the trend. The trend had been... yes at Carpenter for the trailer park, yes where Miss Kimmees is and no, where Evergreen is. But also down where Parkway Pub and had a license forever and....

ZBA Chimento: What is your real objection?

Welch: It shouldn't go there. If it goes there...it should have some kind of buffer. It's not part of a trend.

ZBA Chimento: That's your opinion, right?

Welch: Yes, it's no one else's. It has to be mine.

ZBA Spiro: Mr. Welch if there was a fence there, would that solve your issue?

Welch: That would help. My concern is just as these other places where Miss Kimmees is and package place is where 3am bar is. There were no objectors because that was a sideways movement, it didn't increase with the alcohol. So a fence would definitely help the lady behind there, that's a must. My concern is that this trend and the gambling facilities are more of a "fad" than a trend. They are just hitting all over the place.

Mr. Chairman. I'm sorry but a lot of the testimony you are giving is a lot of the same testimony. I think to go to Mr. Spiro the question was about a fence to the back. The trees I think is a natural buffer.

ZBA Spiro: I am going to follow up with LeJeune...that's a long narrow building...there's no parking on the other side of the building, are there any windows or doors on that side?

LeJeune: The way I would describe the property or building is like this. It's 110' wide and has two egresses that have just been re-done, it has good traffic flow whether you are going north or south. You can go in either lane. There's a 74' length building. ...53' on one end and 33' on the other end. Has about 12,000 square feet of parking space. Directly north is an identical establishment called Kimmees and it's the exact same distance from the property which would be due west. I am not sure how it would be any different.

ZBA Spiro: If there a window on the west side?

LeJeune: No.

ZBA Spiro: So, there's no window, no parking, nothing would be going on the west side of the building?

LeJeune: No.

ZBA Spiro: There would be no reason for anyone to go there...no parking there.

LeJeune: It's fenced up to a 4'-5' fence with some trees.

ZBA Spiro: Basically the wall is acting as a fence.

LeJeune: Absolutely.

Welch: Can I interject?

LeJeune: Your question is...what's on the back? There is nothing...so everything west doesn't exist as far as this goes.

ZBA Spiro: So everything faces Dirksen?

LeJeune: Yes, everything to do with this business would face Dirksen.

ZBA Spiro: All in and out is on Dirksen?

LeJeune: Correct. Towards the east direction.

ZBA Spiro: No visibility to anything on the west?

LeJeune: No. And I don't think Miss Kimmees has had any problems with lady on that side.

ZBA Spiro: Ok, that's all I wanted.

LeJeune: I didn't see any objections from neighbors around. I am just trying to stay in the same general area but just do a different business.

Welch: Here's the problem.

Harrison: This is not a debate. Let the Chairman address you if you have a question.

ZBA Chimento: We need facts.

Welch: If his answer is incorrect...shouldn't I correct it? He's says there's a door on the end of the building right by the lady's house.

Harrison: Mr. Welch this is a testimony not a debate.

ZBA Chimento: He said on the backside...

LeJeune: The question was on the west.

ZBA Spiro: Yea, my question was on the west.

LeJeune: There are currently no operational doors on that side. Let's see air conditioning on south side. No, everything is going to face east. That's where all the windows and doors are. There's no access from the other side.

Welch: You can't get from going in the front door to everything to outside. There are bathrooms that you enter from the outside.

Harrison: Mr. Chairman I think we have had enough testimony at this point.

ZBA Chimento: Anyone have any questions? County board? Hearing none entertained a motion.

Committee Member Don Wulf made a motion to recommend approval of staff recommendation.

Committee Member Tony Mares seconded the motion.

Motion carries 5/0/0

Docket 2019-039 John Ealey for property located at 7325 W. Outer Road, Sherman, IL 62684

PETITIONER(S): John Ealey

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTING: Petitioner requests pursuant to Chapters 17.68 and 17.26, a rezoning from "A" Agricultural District to "B-3" General Business District; pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) trucking firm and (2) single-family residence; a variance of Section 17.26.010 to allow a single-family residence in a "B-3" General Business District; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.

John Ealey was sworn in.

Emily Prather: The petitioner has requested pursuant to Chapters 17.68 and 17.26, a rezoning from "A" Agricultural District to "B-3" General Business District; pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) trucking firm and (2) single-family residence; a variance of Section 17.26.010 to allow a single-family residence in a "B-3" General Business District; and, a variance of Section 17.50.060(A) to allow the parking to remain unpaved (rock) instead of the required bituminous seal coat.

STAFF RECOMMENDATION: Recommend denial of the requested B-3 zoning and accompanying variance to allow a single-family residence in a B-3 District. The LESA score of 168 indicates the property is marginal requiring mitigating factors for non-agricultural development. In this case, the subject property is 2.75 acres and is in an area of rural residences making it unlikely to be economically converted to cropland. However, the requested B-3 District is considered to be inappropriate spot zoning and the list of uses is too intense for the rural residential and agricultural trend in the area. Therefore, staff recommends a Use Variance for a trucking firm provided the business has no more than four trucks.

Recommend approval of the requested variance to allow two (2) uses on one (1) parcel: 1) trucking firm and 2) single-family residence. As staff recommends approval of a Use Variance to allow the trucking firm on the subject property, the Standards for Variation are met. Recommend approval of the paving variance. The unpaved surface has been on the subject property for approximately 20 years without negative effects, and not having paved surfaces might be expected given the nature of the rural residential and agricultural trend in the area. The Standards for Variation are met.

ZBA Chimento: You agree with that?

Ealey: Yes.

ZBA Chimento: You have any questions?

Ealey: No, sir.

ZBA Chimento: Any questions? County Board? Objectors? Hearing none entertained a motion.

Committee Member Tony Mares made a motion to recommend approval of staff recommendation.

Committee Member Don Wulf seconded the motion.

Motion carries 5/0/0

Docket 2019-040 Hospital Sisters of St. Francis- USA, Inc. for property located at 4849 LaVerna Road, Springfield, IL 62707

PETITIONER(S): Hospital Sisters of St. Francis- USA, Inc.

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: "O" Office and College District

REQUESTING: Petitioner requests pursuant to Chapters 17.68 and 17.10, a rezoning from "O" Office and College District to "A" Agricultural District.

Rick Haberkorn was sworn in.

Emily Prather: The petitioner has requested "A" Agricultural District.

STAFF RECOMMENDATION: Recommend approval. The proposed Agricultural District will provide consistent zoning in order to reconfigure the multiple convent parcels.

ZBA Chimento: Anybody have any questions on this? Objectors? Hearing none entertained a motion.

Committee Member Larry Beaty made a motion to recommend approval of staff recommendation.

Committee Member Andrew Spiro seconded the motion.

Motion carries 5/0/0

Docket 2019-041 Kent Keeney Trustee and Dennis Keeney and Michael Keeney for property located at 12600 Block of Tebbe Road, New Berlin, IL 62670

PETITIONER(S): Kent Keeney Trustee and Dennis Keeney and Michael Keeney

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTING: Petitioners request pursuant to Chapter 17.66, for Proposed Parcels 1, 2, and 3: a variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

Dennis Keeney was sworn in.

Emily Prather: The petitioner has requested for Proposed Parcels 1, 2, and 3: a variance of Section 17.38.030 to allow three (3) parcels less than forty (40) acres (approximately 25 acres each); and, a variance of Chapter 17.04 (Lot depth) to allow the lot depth to be greater than two and one-half (2.5) times the lot width.

STAFF RECOMMENDATION: Recommend approval. Granting the variances would facilitate a division of the subject property to help settle an estate. The petition states it will remain in cropland. The Standards for Variation are met.

ZBA Chimento: You understand that, everything ok for you?

Keeney: Yes.

ZBA Chimento: Anybody have any questions? Objectors? County board? Hearing none entertained a motion.

Committee Member Andrew Spiro made a motion to recommend approval of staff recommendation.

**Committee Member Tony Mares seconded the motion.
Motion carries 5/0/0**

Docket 2019-042 Tim Glenn for property located at 15234 Black Diamond Road, Pawnee, IL 62558

PETITIONER(S): Tim Glenn

OBJECTOR(S): No

PRESENT ZONING CLASSIFICATION: "A" Agricultural District

REQUESTING: Petitioner request pursuant to Chapters 17.68 and 17.26, a rezoning from “A” Agricultural District to “B-3” General Business District; pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) garage door business storage; a variance of Section 17.26.010 to allow a single-family residence in a “B-3” General Business District; and, a variance of Section 17.50.060(A) to allow the access ways to the parking areas to remain unpaved (rock) instead of the required bituminous seal coat.

Tim Glenn was sworn in.

Emily Prather: The petitioner has requested “B-3” General Business District; pursuant to Chapter 17.66, a variance of Chapter 17.04 (Lot) to allow two (2) principal uses on one (1) parcel: (1) single-family residence and (2) garage door business storage; a variance of Section 17.26.010 to allow a single-family residence in a “B-3” General Business District; and, a variance of Section 17.50.060(A) to allow the access ways to the parking areas to remain unpaved (rock) instead of the required bituminous seal coat.

STAFF RECOMMENDATION: Recommend denial of the requested B-3 zoning and accompanying variance to allow a single-family residence in a B-3 District. The LESA score of 195 indicates the property is suitable for agricultural use only. The east side of Black Diamond Road has remained agricultural with some single-family residences. Staff also concludes that a Use Variance is inappropriate for the subject property. The petition states there will be no outside storage, and the site plan indicates all garage door storage will be located in the existing old barn on the subject property. However, during the site visit staff observed garage door materials located outside of the existing old barn as shown on the bottom picture on the following page. The subject property can continue to be used economically as a single-family residence. Recommend denial of the requested two principal uses variance and paving variance as the requests are not needed without rezoning the property. The Standards for Variation are not met.

ZBA Chimento: Ok, do you understand that?

Glenn: Yes, I do.

ZBA Chimento: Do you have anything you want to say?

Glenn: Yes, at the time of the picture we had just moved onto the property and we were in the process of getting everything moved in. and we have a permitted building that is currently being built, right now. Everything will be inside the building. Once this was brought to our attention we were waiting to see what zoning says as far as what kind of building we were going to build because we are going to have to add on to the side of the building just to get everything in.

ZBA Chimento: So, you haven't lived there before?

Glenn: It's our parents' house, we are moving in.

ZBA Chimento: Oh I see. Anybody else have any questions?

ZBA Wulf: I have a question for staff...is it the outside storage that was primarily influencing your decision?

Prather: Yes, the fact that the petition stated there was going to be no outside storage, and when we went to do our site visit we saw all of this material sitting outside of that existing old garage that according to the petition stated where all the material was going to be stored.

ZBA Wulf: And if that condition was satisfied would it affect your recommendation?

Prather: As long as all of the materials would be stored inside and no outside storage, then yes we would look at potentially amending our staff recommendation.

ZBA Chimento: A lot of people here, so there must be objectors? No? Outstanding.

ZBA Wulf: My question is...is it worth another look? Conference committee? If this could be postponed and you could take another look?

Prather: If the petitioner just wants to elaborate even more on his business plan and wherever everything is going to be stored and we fully understand that everything is going to be inside and on the record. And we know what's going to happen for sure.

Glenn: Everything is going to be inside. And when the pictures were taken those were taken in the process of moving. I guess I was turned in and then I was notified to come in and fill out a petition.

ZBA Wulf: Can the petitioner request to postpone till the following month?

Trustin Harrison: Mr. Chairman, I think county board member would like to speak.

CB Jeff Thomas: I have worked with Tim and in the beginning of this, he was in the process of moving his family... where the original garage door business was. And he has been an unbelievable business owner in our area. He wasn't sure what was going on. It was literally a miscommunication and he is now coming into compliance and doing whatever is needed. He just didn't know how to explain himself. So I was trying to help him and mediate in-between. He will build everything that is needed and what the building and zoning departments need.

ZBA Wulf: He would still need to ask for a continuance, wouldn't he?

Harrison: No. I believe Mr. Glenn what staff is looking for is to just give them the detail on what the business plan is going to look like when you are finished.

Steve Keenan: Number of employees, how many trucks, hours of operation... what's going to go on in the building.

Glenn: The way our operation works is...we actually have an office in the town of Pawnee. That's the only address on file for our business. That's where our customers go and deliveries are made. I have four employees and they park out there and our work vehicles are out here. So, they park their personnel vehicles out there and then load materials from an old barn and then go off to their jobs. At no time will there be deliveries made out there, customers on site. It's just simply for storage of materials and of work trucks.

ZBA Wulf: If there are no deliveries made, how are you getting your materials?

Glenn: We pick up our materials from the manufacturer and then deliver it.

Keenan: What's the maximum number of trucks that will be on site at a time?

Glenn: 5.

Keenan: What's the maximum number of employees that you anticipate at this site at any given time?

Glenn: I would say 5 tops.

Keenan: Ok, so 4-5. Can you elaborate little more on the trucks...will it be overnight storage? What means will they serve?

Glenn: 7:30am to 5pm, the trucks are all half ton pickup trucks, no commercial vehicles or two ton trucks. They are regular pickup trucks. They will all be stored in the same spot in that location.

Keenan: Any trailers?

Glenn: There are three trailers.

Keenan: And they will be stored inside?

Glenn: They can be yes. One of them is a dump trailer that we use for our scrap material.

Keenan: Ok.

Glenn: It's a brand new dump trailer.

ZBA Chimento: So, you are building now?

Glenn: Yes, we are currently building a permitted building now and near finished; but that's for a lot of materials outside but we are still going to have to build something else for the rest of the garage door materials. But I was afraid to start building and get turned down. I didn't know if I would have to leave the property, so I was afraid to build and then get denied.

ZBA Mares: You said that all of your materials are being suite so what are you storing in the old barn?

Glenn: We order our materials and pick them up and keep an inventory for someone that calls and needs a door, then we have one in stock. We keep parts in there too, garage doors are big and tend to take up a lot of space.

ZBA Mares: Do you construct the doors?

Glenn: No, we pick them up as a complete door and store them and then when a customer purchases them, we load them up and go to the site.

ZBA Mares: They are stored in the barn then?

Glenn: Yes, correct they are stored in the barn.

ZBA Chimento: You pick them up though? You aren't having them delivered?

Glenn: I pick them up, correct.

Prather: Can we have one more question? Where will employees be parking during the day?

Glenn: During the day we have a lot back there and they park on the property on the lot.

Prather: Ok, so there will be outdoor with the employee personnel vehicles being outdoor?

Glenn: That's what we have at the moment, yes.

Harrison: We are looking at the intent...

Glenn: If the vehicles have to be parked in the building...then I will have to put a building up to put the vehicles in. Right now just a parking lot and they park four vehicles in a row.

ZBA Chimento: Rock based?

Glenn: Yes, rock based.

ZBA Mares: So basically they drop off their vehicles and take a work truck and go about their day.

Glenn: Correct. And we have plenty of rock parking lot.

Prather: We are ready to amend our staff recommendation. We recommend denial of the requested B-3 zoning and accompanying variance to allow a single-family residence in a B-3 District. The LESA score of 195 indicates the property is suitable for agricultural use only, but it is highly unlikely the subject property could be economically converted to cropland due to the residence and storage sheds on the subject property. However, the requested B-3 District is considered to be inappropriate spot zoning and the list of uses is deemed too intense. Based on the testimony heard during the public hearing, staff recommends approval of a Use Variance to allow garage door business storage provided that: 1) the business is not open to the public, 2) there is no more than five business trucks and three trailers on the subject property, and 3) there is no outside storage related to the business. Recommend approval of the requested variance to allow two (2) uses on one (1) parcel: 1) single-family residence and 2) garage door business storage. As staff recommends approval of a Use Variance to allow the garage door business storage on the subject property, the Standards for Variation are met. Recommend approval of the paving variance. The proposed garage door business storage will not be open to the public and all vehicles and materials related to the business will be located in the existing and proposed garages on the subject property. Also, the first approximately 200 feet of the driveway from the road is paved in asphalt so it is unlikely that rocks would be dragged out onto Black Diamond Road. The Standards for Variation are met.

I will refer to the Findings of Fact which will remain the same. I will direct you to page 5 with an amended Standards for Use Variations. Standard 1 we will amend: The petition indicates the business office is located in Pawnee, but does not have the additional storage needed for the garage door materials and vehicles. With the proposed limitations for the Use Variance for the garage door business storage, the subject property will be utilized mainly for inside storage versus conducting business operations. Standard 2: Provided the proposed limitations are approved, the proposed garage door business storage will not have a negative impact on the trend in the area. For Standard 3: The Use Variance with the proposed limitations will minimize potential incompatibilities and thereby benefit the community and be in harmony with the general purpose of the Zoning Ordinance. For Standard 4: The proposed garage door business storage will not be open to the public and all materials and vehicles related to the business will be stored inside to minimize potential character and traffic effects on the surrounding area. Additional negative impacts are not anticipated.

And now for amended Standards for Variations on page 6. Standard 1: Not having paved access ways might be expected given the nature of the rural residential and agricultural trend in the area. Also, the proposed garage door business storage would not have anyone from the public coming to the subject property except for the employees. Standard 2: The proposed garage door business storage will not be open to the public and all vehicles and materials related to the business will be located in the existing and proposed garages on the subject property. Also, the first approximately 200 feet of the driveway from the road is paved in asphalt so it is unlikely that rocks would be dragged out onto Black Diamond Road. And for Standard 3: Negative impacts are not anticipated.

ZBA Chimento: Do you have any problems with that?

Glenn: No.

ZBA Chimento: I entertain a motion.

Committee Member Don Wulf made a motion to recommend approval of the amended staff recommendation.

**Committee Member Larry Beaty seconded the motion.
Motion carries 5/0/0**

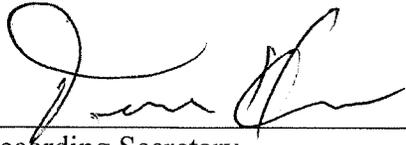
Motion to Adjourn:

Committee Member Andrew Spiro made a motion to adjourn.

**Committee Member Don Wulf seconded the motion.
Motion Carries 5/0/0**

Meeting adjourned.

Respectfully submitted,



Recording Secretary



Chairman

Minutes of **November 21, 2019**

Full record of minutes available upon request in the Zoning Department