

PLANNING AND ZONING COMMISSION MINUTES
City of Geneva
109 James Street - City Council Chambers
August 26, 2021 – Meeting #30

Chairman Stocking called the meeting of the Geneva Planning and Zoning Commission to order at 7:00 p.m. and read a statement explaining the proceedings for the remote and in-person meeting.

Roll Call:

Present: Chairman Stocking, Commissioners Evans*, Mead, Holomon, Matyskiel, Moran, Slifka

Staff Present Community Development Director David DeGroot and City Planner Chayton True

Also Present: Planet Depos Court Reporter Court Petros and Recording Secretary Celeste Weilandt

(* Remote)

Approval of the Agenda

Motion by Commissioner Mead, second by Commissioner Slifka to approve the agenda as presented. Motion carried unanimously by voice vote of 7-0.

Approval of August 12, 2021 Minutes

Motion by Commissioner Mead, second by Commissioner Matyskiel to approve the August 12, 2021 minutes as presented. Motion carried unanimously by voice vote of 7-0.

Public Hearing

A. Variation – A request for a Variation from Section 11-5F-4(B) (Lot and Area Requirements) to decrease the street yard setback from the identified average front setback of 21'-8" to 17'-8" to accommodate a new front porch. Location: 521 Illinois Street. Applicant: Thomas Architects on behalf of Melissa Smith.

City Planner True read the contents of the planning file into the record.

Representing the homeowner, Mr. Tom Budzik with Thomas Architects, was sworn in.

Mr. Budzik discussed that his applicant was seeking a reduction in the front yard setback by four feet to accommodate a front porch, and it was part of a larger project, which included a second floor addition. The front façade of the home sat on the front property line which meant the covered porch would be past the front façade of the home. Mr. Budzik reviewed the four standards for approval and provided answers to each of them: 1) for reasonable return, he explained that not being able to add a front porch with the second floor addition would compromise the aesthetics of the home; 2) for the unique hardship, the home sat on the front setback line and the front entrance sat on it. The only allowable covering would be a two-foot eave which would not provide enough coverage for someone standing in the doorway; 3) for the character of the area, he noted that front porches were a common element on today's homes and found on older homes; and 4) for the minimum variation, the home was

unique whereby an “L” shape step existed and the request was only for four feet to allow the front door coverage and to make the porch more useable.

Commissioner Moran confirmed with the applicant that the porch would remain a porch and not become a permanent part of the home. Per Commissioner Holomon’s question, Mr. Budzik explained the stairs were not added into the four foot request. The current landscaping extended 3 to 4 feet. Commissioner Mead pointed out the adjacent home at 519 had a covered front porch and it was located the same distance from the front property line -- similar to what the applicant was seeking. Mr. Budzik said that if the variance was not approved the only solution would be to face the door to the corner of the house, in which case the architectural detail of the front door would be lost.

Applicant, Ms. Melissa Smith, 521 Illinois Street was sworn in. She confirmed the adjacent house did meet the same front yard and extend beyond it. Moving the door to the side would present a challenge when moving furniture and she did not plan to make the porch a permanent living area.

Hearing no further public comments, Chairman Stocking entertained a motion.

Motion by Commissioner Moran to close the public hearing. Second by Commissioner Slifka. Roll call:

Aye: Evans, Holomon, Matyskiel, Mead, Slifka, Moran, Stocking

Nay: None

MOTION PASSED. VOTE: 7-0

Commissioner Mead, after viewing the site, said that adding four feet similar to the neighbor’s home would not be detrimental to the character of the area; all standards were met. Commissioner Slifka voiced that the porch was a positive improvement and the porch roof was a nice element.

Motion by Commissioner Mead to approve a request for a Variation from Section 11-5F-4(B) (Lot and Area Requirements) to decrease the street yard setback from the identified average front setback of 21’-8” to 17’-8” to accommodate a new front porch at 521 Illinois Street and subject to staff’s finding of fact in its report. Second by Commissioner Slifka. Roll call:

Aye: Evans, Holomon, Matyskiel, Mead, Slifka, Moran, Stocking

Nay: None

MOTION PASSED. VOTE: 7-0

Planner True stated the above case would be considered by City Council on September 7, 2021, 7:00 PM, in City Hall Chambers.

B. **Zoning Map Amendment** – A request to rezone property located behind 419 W. State Street from the D-RSCM Downtown Residentially-Scaled Commercial Mixed-Use District to the D-CM Downtown Commercial Mixed-Use District. *Location:* 419 W. State Street; *Applicant:* Timothy Riley

Planner True read the contents of the planning file into the record.

Applicant Mr. Tim Riley, 415 and 419 W. State Street, discussed his request for a zoning change for a parcel which was formally a part of 422 Hamilton Street. It was previously rezoned and part of the 419 W. State which was the parking lot portion of his business. Mr. Riley explained his father’s prior purchase of the 415 State Street home knowing it would be needed for parking. Mr. Riley said he was approached by Marshall McCarty who wanted to add a back patio to his property. Currently, the parcel under discussion was part of 419 W. State Street and Mr. Riley was just looking to match the same zoning.

Chairman Stocking invited commissioner comment. None followed. He invited public comment. None followed.

Responding to questions, Mr. Riley explained that the 470 square foot patio would not extend all the way to western edge of the building; maybe 1 to 2 feet east of the edge and extend about three parking spaces. Commissioner Mead pointed out that Mr. Shepherd (117 N. Fifth St.), a resident who provided written comment, said that if the zoning was changed and if the parcel was sold, a development could come in with a maximum height of 50 feet without review, which could become a massive development. While Mead supported the patio being approved, he asked staff for feedback on Mr. Shepherd's letter.

In response, Planner True discussed that the front part of 419 W. State was zoned Downtown Commercial Mixed Use, allowing up to 50 feet in height, while the other side was zoned Residentially-Scaled Commercial Mixed-Use (allowing up to 37 feet) and the two properties were already abutting. Director DeGroot added that the Downtown Commercial Mixed-use did not have setback requirements and in a redevelopment scenario he reminded commissioners that to eliminate parking spaces the request had to be approved by the City Council and, per the ordinance, payment per space had to be paid to the City. Should residential units be added to a development, he stated they would have to be parked and any addition to the existing building of more than 25% of the current floor area required site plan review by the commission and approval by City council. Any new commercial structure would require site plan review. In addition, other requirements would be required for the small parcel.

Commissioner Moran pointed out the parcel was landlocked and the threat of future development at a 50 foot height was not compelling. To Commissioner Holomon's question Director DeGroot explained how the Hamilton Street zoning resulted in transitional zoning and also explained how asking for a patio, which was encroaching on another lot, required the alignment of two different zoning lots with the physical improvements of today.

Motion by Commissioner Mead to close the public hearing. Second by Commissioner Moran. Roll call:

Aye: Evans, Holomon, Matyskiel, Mead, Slifka, Moran, Stocking

Nay: None

MOTION PASSED. VOTE: 7-0

Motion by Commissioner Mead to approve a request to rezone property located behind 419 W. State Street from the D-RSCM Downtown Residentially Scaled Commercial Mixed-Use District to the D-CM Downtown Commercial Mixed-Use District, subject to staff's findings of fact. Second by Commissioner Slifka. Roll call:

Aye: Evans, Holomon, Matyskiel, Mead, Slifka, Moran, Stocking

Nay: None

MOTION PASSED. VOTE: 7-0

Planner True stated the above case will be considered by City Council on September 7, 2021, 7:00 PM in City Hall Chambers.

Public Comment – None.

Other Business

Planner True relayed that two public hearings were scheduled for September 9th. Brief details followed.

Adjournment

Motion by Commissioner Evans, second by Commissioner Mead to adjourn the meeting at 7:45 p.m. Motion carried unanimously by voice vote of 7-0.