

Minutes of Zoning Board of Appeals Meeting on March 01, 2018

5:30pm

Present: Andrew Reeter, Autumn Kubatzke, Sara Peska, Bobbie Yount, Nancy McDonald, Steve Cox

Absent: Jeff Cutler, George Buss, Michael Stingley

Sara made a motion to approve agenda. Andrew seconded the motion. Passes 5-0.

Bobbie made a motion to approve the meeting minutes for 1/4/18 and 2/1/18 with the stipulation that the typo in the 2/1/18 minutes should read building not budding, and all minutes need to have a beginning and end time of the meeting. Sara seconded the motion. Passed 5-0

There were no public comments or communications

Review of Chapter 1240-1261

Autumn asked what the Commission is working on. Steve explained the Zoning Ordinance needed to be updated. He further stated that the Commission could take each ordinance one by one to review them or start over. He said City of Rockford's Zoning Ordinance was very good.

Steve gave an example of a zoning usage that should come before the commission but stated that it has not been. He stated the ZBA is the hearing board and in the appeals process the ZBA's findings are the only record that matters.

Steve stated right now the Planning Commission hears special use permits and use variances. The ZBA hears site variances. Steve added that all for the fact finding should be with the ZBA. The whole point of the ZBA which is geared to and used to hearing evidence. It is to serve as a hearing board.

Bobbie asked for clarification of the Commission meeting if there is no evidence presented. Steve stated that the ZBA has multiple functions. He used the example of the current task of the ZBA being an advisory body or a subsidiary body for the City Council.

Steve again gave examples of Rockford, Champaign-Urbana, Mattoon and Quincy as places to review their Zoning Ordinance. Bobbie asked how the Commission can look at and use these areas as they are such large bodies. Steve explained that it may be easier to look at larger areas and take out what does not apply or is not needed than to look at a smaller area and try to add to it.

Sara suggested that they should look at the zoning code as a whole and determine what the outline is as a whole before piecing each section.

Sara asked about the zoning map she was provided, which was a large file. She added that it did not help visualize the areas they would be looking at. She also asked if the ZBA should have a joint meeting with the Planning Commission to determine what each Commission wishes are moving forward so that each knows their function.

Steve stated that he believed the joint meeting should happen, but he would like to see each Commission get things rolling and then schedule that meeting.

Andrew asked if chapter 1260 – 1274, Title 4 zoning would be reviewed by this commission. It was determined that it would be, and those chapters will be provided to the commission.

Sara recommended that the chapters which establish rules, regulations, duty and obligations be looked at first - 1244.01, 1468.33 and 1460.11, before jumping into zoning.

Bobbie asked if the commission had the authority to realign. Steve stated they did not, but they do have the authority to make recommendations to the Council.

Sara asked for the ordinance that defines the role of the Planning Commission. It was stated that those too would be supplied to the commission. Sara recommended that both the Planning and the ZBA's rights, duties and authorities be reviewed and changed so they are aligned.

Andrew asked that a zoning map be available. It was stated that it would be supplied.

Steve stated that there is a special type of permitting that Rockford is using that he thought the Commission should take a look at. It was stated that a copy or link would be supplied to the Commission.

Steve stated that he could make a draft for the chapters which establish rules, regulations, duty and obligations. The Commission stated that would be agreeable.

The evenings meeting established the beginning steps of addressing the procedural and duties first and the next step is to have each member look at the process of special uses and variances 1242.06 and 1242.07

Steve stated that the goal is to create an ordinance that is easy to administer and follow but also holds up.

An updated roster is needed and will be provided to the commission.

No other business

No public comments

Sara made a motion to adjourn. Andrew seconded the motion. (no ending time stated)

The Commission approved the March 01, 2018, minutes on April 05, 2018.

Prepared by C. Marney