

City of Zion Planning and Zoning Commission

Juanita Winfrey, Chairperson

Jim Bowman

Howard Burkemper

Ernest Isley

Bruce Quinn

Mamie McNutt

Gabe Garriga

Meeting Minutes

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

Thursday, August 7, 2014, 7:00pm

ZION CITY HALL COUNCIL CHAMBERS

I. Opening Protocol

- **Call to Order**

Chairperson Winfrey called the meeting to order at 7:01pm.

- **Attendance**

Present: Howard Burkemper; Ernie Isley; Mamie McNutt; Juanita Winfrey

Absent: Jim Bowman (E), Gabe Garriga, Bruce Quinn(E)

Staff: Richard Ianson, Director of Building & Zoning

At this time, Chairperson Winfrey swore in all of the audience members who would be speaking towards any of the dockets.

- **Approval of Agenda**

It was motioned by Mr. Burkemper and seconded by Mr. Isley to approve the agenda as presented.

Vote: Howard Burkemper, aye; Ernie Isley, aye; Mamie McNutt, aye; Juanita Winfrey, aye. Motion passes.

- **Approval of the meeting minutes from May 27, 2014**

It was motioned by Mr. Burkemper and seconded by Mr. Isley to approve the meeting minutes as presented.

Vote: Howard Burkemper, aye; Ernie Isley, aye; Mamie McNutt, aye; Juanita Winfrey, aye. Motion passes.

II. Public Hearings; Swearing in.

1. Docket 14-Z-8

Petitioner: Elie Kardoush

Request: Seeking a Variance from Section 102-206(b)(2) of the Zion Municipal Code for the structure located at 928 Shiloh Blvd.

Director Ianson stated that the building was built in 1952 as a 5-unit multi family dwelling. In 1965 a zoning ordinance passed to rezone the area as R-13 Single Family. The structure was considered a legal non-confirming structure at that time and as long as it stayed occupied it was a non-issue. He also stated that in March of 2013 the building went vacant due to building code violations. Mr. Isley asked if the property was still vacant. Mr. Ianson stated yes.

John Henderson, 1641 N. Milwaukee Ave, is an attorney who represents Eli Kardoush, the Petitioner and Bassem Kardoush, the property owner. He stated that Mr. Kardoush purchased the property in October 14, 2013 knowing at the time that the property needed to be brought up to code. Mr. Burkemper asked if he knew that the property had to be brought up to code when he purchased it. Mr. Henderson stated yes.

Mr. Henderson stated that Mr. Kardoush was informed in January that a Variance would have to be requested and the property would have to be registered as vacant building. Mr. Henderson stated that the building has been registered as vacant.

Mr. Henderson stated that the owners were aware that they had to comply with city ordinances but they also understood that they would be able to continue to get the work done. Mr. Burkemper asked how did they come to this understanding. Mr. Henderson stated from a letter from the Elizabeth Avenue property and discussions with the City. Mr. Burkemper asked whom did they speak with in the City. Director Ianson asked if Mr. Henderson is possibly referring to the Vacant Property Registration? Mr. Henderson stated that he could be. Mr. Ianson stated that that is a separate issue.

Mr. Henderson stated that they knew the previous owner did not abandon the use. Mr. Burkemper asked how if there was a document stating this. Mr. Henderson stated there is no document.

Ms. McNutt asked if the previous owner lost the building. Mr. Henderson stated that it was a short sale. Director Ianson added that the City posted the building due to multiple violations. Mr. Henderson also stated that Mr. Kardoush purchased the property as a five-unit building to be operated as a five-unit building.

Mr. Burkemper stated that he knew that at the time of purchase that he would have to have a variance because the property had been abandon. Mr. Henderson stated not actually. He stated at the time he bought it he did not have to do that.

Mr. Isley asked if there was an alternative plan if this variance request is not approved. Mr. Henderson stated that he does not think that there is an alternative plan. He also stated that the property could not be converted to a single family because it was built as a five-unit structure.

Ms. McNutt asked what would be the value of the building if it were rehabbed as a five unit. Mr. Henderson stated that he did not know.

James Koeppel, 2410 Elizabeth Avenue, Zion Illinois, shared his concerns of allowing the property to remain as a five- unit structure due to the mold and the disrepair. Chairperson Winfrey asked Director Ianson if the building department had been in the building. Director Ianson stated that the last time was in 2013 when it was posted.

Mary Laux, 1000 Shiloh Boulevard, stated that she lived in the area since 1973. She stated that she would rather see the property demolished or have it occupied rather than being vacant. She stated that she would be interested in seeing the plans for the repairs.

Moses Warren, 2415 Elizabeth Avenue, Zion Illinois, stated that he agrees with his neighbors that the property should be demolished.

Niko Cook, 910 Shiloh Boulevard, Zion Illinois, stated that she has lived at the property for twenty years and she agrees with her neighbors that the property should be demolished.

Mr. Henderson stated that the granting of a variance would not change the neighborhood. He also stated that the property does not interfere with the goals and objectives of the Comprehensive Plan.

Mr. Burkemper asked if any plans have been submitted to the Building Department. Director Ianson stated no. Attorney Randall stated that this is feasible because the applicant needs the variance first before work can begin.

Ms. Cook, referencing page 2 of the application, expressed her concerns of the wording on the application which led others to believe that work is already being done and those who wanted to attend tonight's meeting felt that it was a done deal.

Mr. Henderson commented that he prepared that application and he believes he's speaking about the whole process and it probably should have been worded differently. It was not the intent to mislead anyone.

Mr. Burkemper expressed his views of taking this opportunity to improve the City's housing stock.

After reviewing the Findings of Facts, it was motioned by Mr. Isley and seconded by Mr. Burkemper to recommend denial of the Variance application.

Vote: Howard Burkemper, aye; Ernie Isley, aye; Mamie McNutt, aye; Juanita Winfrey, aye. Motion passes.

III. Old Business

There was none.

IV. New Business

There was none.

V. Public Participation

There was none

VI. Adjourn

It was motioned by Mr. Isley and seconded by Mr. Burkemper to adjourn the meeting at 7:42pm. Meeting adjourned.

Recorded by: _____

Approved on: _____