

City of Zion
Planning and Zoning Commission

Juanita Winfrey, Chairperson

Jim Bowman

Howard Burkemper

Ernest Isley

Bruce Quinn

Gerald Riley

Madeline Santana

Meeting Minutes

REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION

Thursday, January 7, 2016, 7:00pm

ZION CITY HALL COUNCIL CHAMBERS

I. Opening Protocol

- **Call to Order**

The meeting was called to order at 7:00pm.

- **Attendance**

Present: Jim Bowman, Howard Burkemper, Ernest Isley; Bruce Quinn, Gerald Riley, Madeline Santana

Also present: Paula Randall, City Attorney, Richard Ianson, Director of Building & Zoning, City of Zion

Absent: Juanita Winfrey (Excused)

In the absence of Chairperson Winfrey, it was motioned by Mr. Bowman and seconded by Mr. Burkemper to appoint Ernest Isley as Acting Chairman.

Vote: Jim Bowman, aye; Howard Burkemper, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Ernest Isley, aye. Motion carried.

- **Approval of Agenda**

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

Vote: Jim Bowman, aye; Howard Burkemper, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Ernest Isley, aye. Motion carried.

- **Approval of Meeting Minutes from December 3, 2015**

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

Vote: Jim Bowman, aye; Howard Burkemper, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Ernest Isley, aye. Motion carried.

II. Public Hearings/Swearing In

1. Docket 15-Z-13

Petitioner: Ramiro Aranda

Request: Seeking a Variance from Section 102-206(b)(2) to continue multi-family use in a R-5 zoning district.

Director Ianson stated that at the December 3, 2015, the Board voted to continue Docket Number 15-Z-13 until January 7, 2016, at which time, Mr. Richard Aranda, 1007 29th Street, was to provide the Commission with renderings of what the project is going to look like when finished.

Acting Chairman Isley reminded Mr. Aranda, that he is still under oath.

Mr. Aranda submitted a binder to the Commission that showed renderings of what the project will look like when complete. Mr. Burkemper asked if Mr. Aranda said that he would live in one of the units. Mr. Aranda stated that it is being considered for either he or his son to live in the unit.

As the Commission reviewed the binder, Mr. Aranda stated that they will be able to fit a total of ten cars in the parking area. He stated that eight of the spaces will be against the fence and two will be at an angle. Director Ianson asked if the spaces are 9' x 18'. Mr. Aranda stated that they are standard size.

Mr. Burkemper asked when Mr. Aranda anticipates the project will be completed. Mr. Aranda stated in three months. He added that the cold weather may delay the parking area but the interior work will move quickly because it is mostly cosmetic.

Mr. Quinn asked if Mr. Aranda knew what type of software was used to illustrate the renderings. Mr. Aranda stated he did not know.

Mr. Bowman asked Director Ianson why is this variance is being requested. Director Ianson stated that is being requested to continue the multi-family use of the property. Mr. Bowman shared his concerns of setting precedence for other requests like this. Director Ianson stated that each case is considered on a case by case basis. Attorney Randall added that this request is seeking a variance from the non-confirming use - 6 month lapse. This is a four unit building that was built as a four unit building. Some structures that are seeking relief are an illegal non-confirming that will lose their zoning and now there would be a valid reason not to. She added that this is why the Commission considers and vetts each case.

Mr. Bowman asked for an example of an illegal non-conforming use. Attorney Randall gave the example of a single family residence that at some point was illegally converted to a multi-family and was grandfathered in and it was vacant for more than six months, then it reverts back to single family. If the Property owner would petition the Commission for relief, it's a different set of circumstances but arguably they are asking for the same type of relief from the Zoning Board. Mr. Bowman asked if the rule needs to be changed to accommodate a situation like this. Attorney Randall said no because that's why the Commission needs to review these on a case by case basis. Mr. Burkemper shared various examples of requests that the Commission considered the same the request but had different outcomes.

Acting Chairman Isley asked if the cost factor for this project has changed. Mr. Aranda stated that it would remain in the ballpark of \$30k to \$50k. Mr. Burkemper asked Director Ianson if Mr. Aranda would have to get an inspection and occupancy permit. Director Ianson stated yes.

After reviewing the Findings of Facts, it was motioned by Mr. Burkemper and seconded by Mr. Bowman to recommend approval of the application with the condition that this Variance applies to the Petitioner.

Vote: Jim Bowman, aye Howard Burkemper, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Ernest Isley, aye. Motion carried.

III. Public Participation

There was none.

IV. New Business

Rental Housing Inspection and Appeals

Director Ianson informed the Planning and Zoning Commission that the City has established a rental housing inspection program. After distributing the ordinance establishing the rental housing inspection to the Commission, he explained how the rental housing programs will work and how appeals will be handled through the Planning and Zoning Commission. He stated that appeals will be held during regularly scheduled monthly meetings.

V. Adjourn

Being no further business to come before the Commission, it was motioned by Mr. Bowman and seconded by Mr. Quinn to adjourn the meeting at 7:28pm.

Vote: Jim Bowman, aye Howard Burkemper, aye; Bruce Quinn, aye; Gerald Riley, aye; Madeline Santana, aye; Ernest Isley, aye. Meeting adjourned.

Planning & Zoning Recording Secretary:

Jonath Bronsen