

1. Call Meeting To Order

2. Roll Call

3. Public Participation

1. **In-Person Participation:** This is an opportunity for the public to provide public comment to the Presiding Officer. Those wishing to speak are required to sign in prior to commencement of the meeting and must address the Board from the seat and table provided. The public comments must comply with Ordinance 2014-02 and be limited to 5 minutes or less. If attending in person a face covering will be required.

Remote Participation: This is an opportunity for the public to provide public comment to the Presiding Officer. The public comments must comply with Ordinance 2014-02 and be limited to 5 minutes or less. At this time, members of the public are able to attend public meetings by web conference, and to submit public comment by email, voicemail, or through web conference:

Email: jep@cityofmonticello.net

Voicemail: 1-217-762-2583 Ext 22

Web Conference: <https://global.gotomeeting.com/join/801581837>

GoTo Meeting Conference Phone Number: +1 (646) 749-3122

Access Code: 801-581-837

4. Approval Of Meeting Minutes

4.A. August 17, 2020 Planning And Zoning Board Meeting Minutes

Documents:

[PZB MINUTES 8.17.2020.PDF](#)

5. New Business

5.A. Introduction Of Variance Request 1002 E Chestnut: The Prospective Owners Wish To Construct An Addition On The Single-Family Residence. The Owner Is Requesting A Variance To The Front Yard Setbacks (153.018).

Documents:

[20200916115236786.PDF](#)

[1002 E CHESTNUT MOTION.PDF](#)

5.A.i. Project Overview - Petitioner/Staff

5.A.ii. Questions & Discussion From The Planning And Zoning Board

5.A.iii. Public Testimony Period

5.A.iv. Public Hearing Is Closed

5.A.v. Action - Planning And Zoning Board

6. Meeting Adjourned

City of Monticello Planning and Zoning Board Meeting

August 17, 2020

Chairman Hawkins called the meeting to order at 7:00 pm.

Roll Call was taken by Deputy City Clerk Maura Metcalf.

ROLL CALL: Present: HAWKINS, BEEM, DAY, RIEGEL, GOEBEL, SPILLMAN,
YOON

Absent: NONE

Also Present: Terry Summers, City Administrator; Maura Metcalf,
Finance/HR

PUBLIC PARTICIPATION:

None

APPROVAL OF MEETING MINUTES:

A request was made to update the meeting minutes to reflect the name of Ms. Warmbier to Amber. A motion was made by Marthaan Riegel, and seconded by Michael Beem, to approve the July 22, 2020 Planning & Zoning Board Meeting Minutes. The motion carried.

NEW BUSINESS:

Introduction of Possible Text Amendments – Monticello Municipal Code, Chapter 153, Zoning Regulations – Cannabis Business Text Amendment

City Administrator, Terry Summers presented the following: The City Council Meeting Memorandum drafted by our attorney Dan Bolin dated July 27, 2020, provides a brief description outlining key elements and background information of cannabis businesses. The attached proposed Ordinance Approving a Zoning Text Amendment Regarding Cannabis Business was drafted by the same attorney with the assistance of City staff. This proposed ordinance addresses the desires expressed by the majority of the City council that spoke at the July 27th City Council meeting. Definitions regarding cannabis business are found on pages 4 and 5, Table 1-Principal Uses by Zoning District can be found on pages 5 and 6, a chart depicting the minimum distances required from pre-existing protected uses can be found on page 8, and the motion for consideration by the Planning And Zoning Board can be found on pages 1 and 2 of Exhibit A. In short: Cannabis Craft Grower, Cannabis Cultivation Center, Cannabis Dispensary, Cannabis Infuser, Cannabis Processor,

Cannabis Transporter, and On-Premise Cannabis Consumption Establishment will be prohibited uses.

Medical Cannabis Cultivation Center will be allowed in “I-1” and “B” zoning districts while meeting or exceeding the distance separation requirements from protected uses, and with a Conditional Use. Medical Cannabis Dispensary will be allowed in “B” zoning districts while meeting or exceeding the distance separation requirements from protected uses, and with a Conditional Use. Please refer to the maps open on your Chromebook designated as Exhibit B, Medical Cannabis Dispensary and Exhibit C, Medical Cannabis Cultivation for the location that these businesses could operate.

Attorney Dan Bolin explained that the City can't opt out of medical cannabis but, can place buffers to restrict where the businesses can locate. Michael Beem inquired about increasing the distance to ¼ of a mile (1320 feet), instead of 1000 feet from schools and daycares. He indicated it would be easier to explain. Amber Goebel was comfortable with the 1000 feet. It is the standard distance, and likes that it is an even number. The Public Hearing was opened at 7:23. A motion was made by Amber Goebel, and seconded by Shawn Spillman, to close the hearing at 7:26 with no public comment. Mike Hawkins would like to see the City allow adult use. He feels like we are missing out on the tax revenue and knows several people that live where it is allowed, and they have not noticed a negative impact. Michael Beem disagreed and felt that money shouldn't be the driving factor. Gerald Day asked if there had been any interest in Monticello. Terry Summers indicated that 3 or 4 individuals had expressed interest prior to the Moratorium. A motion was made by Michael Beem, and seconded by Shawn Spillman, to approve the motion with the modification to distance to 1320 feet. The motion failed 3-4. A motion was made by Gerald Day, and seconded by Amber Goebel to approve the motion as presented. The motion passed 4-3.

A motion was made by Shawn Spillman, and seconded by Marthaan Riegel, to adjourn the meeting at 7:47 pm.

Respectfully Submitted by:

Maura Metcalf

Deputy City Clerk



**PLANNING & ZONING
BOARD MEETING
MEMORANDUM**

ITEM: 1002 E. Chestnut Street Variance Request	DEPARTMENT: City Administration
AGENDA SECTION: New Business	SUBMITTED BY: Callie Jo McFarland, Community Development Director
ATTACHMENTS: (X) MOTION (X) OTHER SUPPORTING DOCUMENTS	DATE: September 2, 2020

BACKGROUND:

Applicant- Vaughan & Hanna Pierce, prospective owners of the single-family residence at 1002 E. Chestnut Street (RD).

The prospective owners wish to purchase 1002 E. Chestnut Street, and construct an addition on the west side of the property. The front yard setbacks in an RD zone are 30', and the property currently sits 19' 9" from the west front property line, making it an existing legal nonconforming structure. The proposed two-story addition would encroach into the west front yard and the applicant is requesting reducing the west front yard setback from the current existing distance of 19' 9" to 1' 9"

I have enclosed an aerial image of the property, conceptual drawings of the project, a copy of the public notice published in the September 2, 2020 edition of the Piatt County Journal Republican, meeting motion, and copy of the meeting agenda.

RECOMMENDED ACTION:

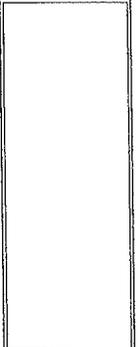
It is recommended that the Planning & Zoning Board discuss and make a recommendation to city council on whether to approve or deny this variance request.

1002 Chestnut Street
Monticello IL

Perce Project

Tom Loeve
Design / Build, Inc

34 Rose Valley Ranch Road
White House, Illinois 62451
M. ARON, LLC
Phone: 312.841.1127
email: tom@tdesignbuild.com

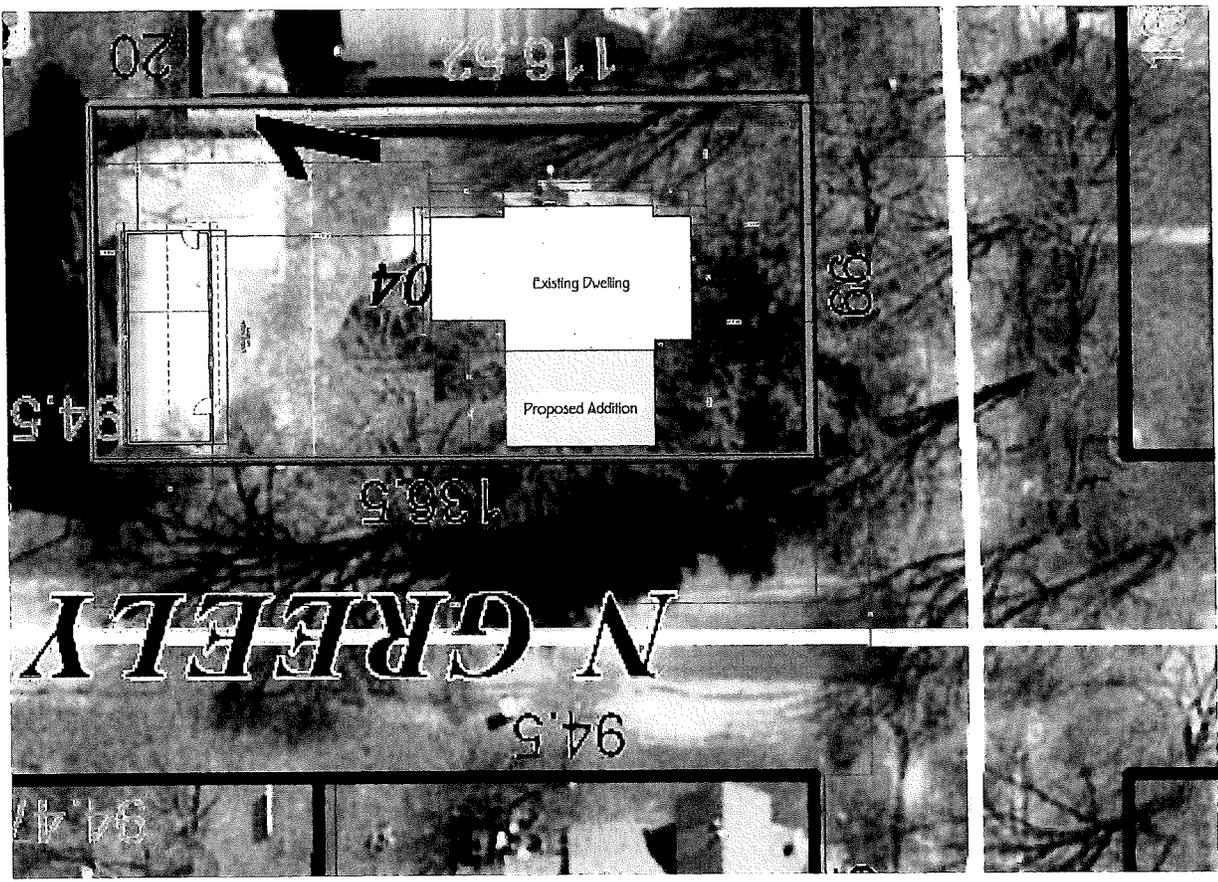


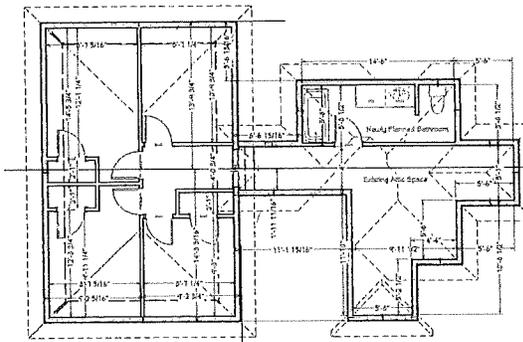
NO. OF SHEETS	1
TOTAL SHEETS	1
DATE	8/26/2020
SHEET TITLE	
SHEET NO.	A-2

DATE: 8/26/2020

SHEET TITLE:

SHEET: A-2

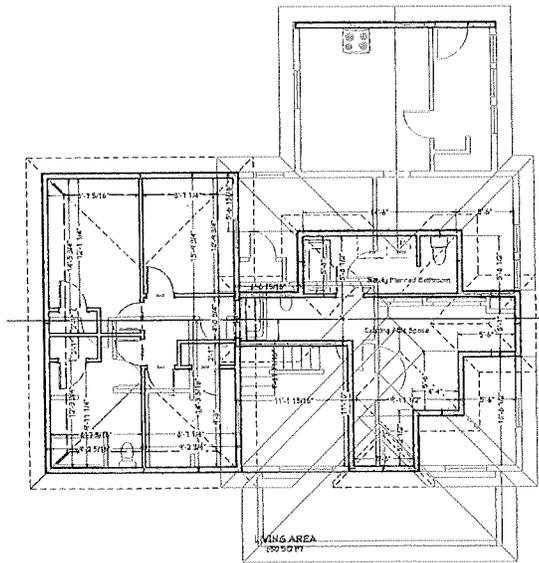




2nd Floor Addition

LIVING AREA
600.50 FT

2nd Floor Existing Attic with New Bathroom



LIVING AREA
600.50 FT

2ND FLOOR PLAN with FIRST FLOOR IMAGE BELOW

1002 Chestnut / Tree
Monticello IL

Place Project

Tom Loeck
Design / Build, Inc

14 River Valley Ranch Road
10124 North, Omaha NE 68164
M. Acker, DARC
Phone: 402 646 2327
Email: tomloeck@tomloeck.com

2ND FLOOR PLAN

PROJECT NO. 1002 CHESTNUT / TREE

DATE:
8/26/2020

SHEET TITLE:

SHEET:
A-4

MOTION FOR MONTICELLO PLANNING & ZONING BOARD
Vaughan & Hannah Pierce (prospective owners) – 1002 E. Chestnut Street

WHEREAS, the City of Monticello, pursuant to the authority conferred by the Statues of the State of Illinois, has established certain standards and procedures for zoning and the use of land within the Corporate Limits of the City of Monticello; and,

WHEREAS, Vaughan & Hannah Pierce, prospective owners of property legally described as:

Blk 1 S 42' W 66' Lot 2 of Keenan's East Addition, commonly known as 1002 E. Chestnut Street, Monticello.

Are seeking a variance to the regulations regarding the front yard setbacks of a property in an Urban Residential- RD zoned district.

WHEREAS, the variation required is as follows:

A variance to the front yard setback requirements, reducing the west front yard setback from 19' 9" to 1' 9" to allow for construction of an addition; and

WHEREAS, the City of Monticello Zoning Administrator has reviewed the petitioner's request for a variance and has submitted the petition and supporting documents to the Planning & Zoning Board; and

WHEREAS, the Planning & Zoning Board has held a public hearing on September 21, 2020 concerning this matter and comment from the public was solicited and received; and

WHEREAS, the Planning & Zoning Board has reviewed the evidence submitted, including the Application for Variance and other supporting documents, and has considered all the available testimony and facts regarding the subject request.

BE IT THEREFORE RESOLVED this 21st day of September, 2020 that the City of Monticello Planning & Zoning Board makes the following recommendation to the City Council of the City of Monticello:

(Approval) (Denial) of the variation, as follows, to the regulations regarding the front yard setback requirements in an Urban Residential- RD zoned district.

A variance to the front yard setback requirements, reducing the west front yard setback from 19' 9" to 1' 9" to allow for construction of an addition.

The Planning & Zoning Board does further set forth the following findings of facts concerning the request variance:

1. All procedural matters have been properly complied with.
2. The City of Monticello Zoning Administrator has prepared and submitted background information relevant to this case.
3. That special circumstances or conditions apply to the land for which a variation is

sought.

4. Any special circumstances have not resulted from an act of the applicant subsequent to the adoption of the Zoning Ordinance.

5. Special circumstances do exist such that a strict application of the provisions of the Zoning Ordinance would deprive the applicant of reasonable use of his or her land.

6. The variations requested are necessary for a reasonable use of the land for the desired purpose.

7. The variations requested are in general harmony with the general purposes of intent of the Zoning Ordinance.

8. The variations granted will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City ordinances or codes.

Chairman, Planning & Zoning Board
City of Monticello