

At a meeting of the Zoning Board of Appeals of the City of Joliet, Illinois, held Thursday, June 21, 2012 at the hour of 1:30 p.m. in the Municipal Building, 150 West Jefferson Street, Joliet, Illinois with the following members present:

Mr. Ed Hennessy
Mr. Charles Graham
Ms. Rebecca Darley
Mr. Jim Riggs
Mr. William Ferguson
Ms. Denise Powers (Chairman Pro-Tem)

Showing absent:
Ms. Elizabeth Nevarez

Thereupon the following matters were heard by the Zoning Board of Appeals:

THIS PETITION WAS HEARD OUT OF ORDER AS LISTED ON THE AGENDA.

PETITION 2012-25: A **Variation** on maximum allowed height of a structure from 120 ft. to 166 ft. 8 in., and on the non-residential design standard masonry requirement in order to allow the construction of a grain handling and storage facility, located at 320 Railroad Street.

Chairman Hennessy stated the only topic before the board is for the variations of the height restriction for the storage facility and masonry requirements.

Mr. Jackson read the staff report into the record.

Chairman Hennessy questioned the masonry requirement for the east elevation of the building. Mr. Jackson clarified the purpose for the masonry on the east elevation of the building is for the traffic coming over the bridge. Mr. Jackson stated there is substantial vegetation along the west of the tracks that will buffer this facility from the adjoining residential neighborhood.

Chairman Hennessy swore in the petitioner's attorney, Mr. Thomas Osterberger, 111 N. Ottawa Street, Joliet, Illinois. He stated the fertilizer aspect of the business is minimal adding some of the fertilizer is liquid and mainly grain will stored at this location.

Chairman Hennessy swore in petition and owner, Mr. Robert Briscoe, Mazon, Illinois. He explained the safety measures taken at his current facility. He also mentioned this type of business is high regulated by EPA and OSHA.

Chairman Hennessy asked Mr. Briscoe if the FGIS has standards/regulations. Mr. Briscoe stated the FGIS is an association his business belongs to which has a safety program for their members to participate in.

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Chairman Hennessy mentioned the explosion that happened in the 1970's. He questioned the boundaries affected if there was an explosion at this location. Mr. Briscoe continued to explain the difference between the two facilities. Mr. Briscoe stated the new/updated designs of today are safer.

Ms. Powers asked Mr. Briscoe how often the EPA inspects his facility. He stated in the past four to five years the EPA has conducted spot checks approximately six times. There was one inspection from the EPA that did not pass due to outstanding violations from the previous owner. Those violations have been corrected.

Mr. Graham questioned the disposition of the existing buildings. Mr. Briscoe stated the metal building will be demolished and the brick building is being reviewed by an engineer to see if the roof can be replaced. The brick building would be used for fertilizer storage. Mr. Briscoe is almost certain the brick building will also be demolished.

Mr. Riggs stated he has been approached by business owners and residents in that general area regarding the dust from the truck traffic. Mr. Briscoe stated there will new asphalt areas installed on the site. Mr. Riggs requested to add the condition that all areas for storage of vehicles must be paved.

Mr. Osterberger stated the entryway is not owned by the petitioner and is in discussion with the railroad company for the future of the entryway.

Ms. Darley questioned the noise generated from the facility, traffic and hours of operation. Mr. Briscoe the facility will generate very minimal noise. The noise will mainly come from the loading of trailers/barges. In regards to traffic, it is estimated there will be 20 trucks a day. The hours of operation will mainly be 6:00 am to 6:00 pm depending on season.

Chairman Hennessy asked if anyone wished to speak in favor of the petition and no one came forward.

Chairman Hennessy asked if anyone wished to speak in opposition to the petition and no one came forward.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Chairman Hennessy swore in Mr. Murlie Walker, 250 S. Center Street, Joliet, IL. He stated he has safety concerns regarding this facility.

Mr. Graham moved to approve the petition subject to the recommended conditions, and Ms. Darley seconded the motion, which passed with 6 aye votes. Voting aye were: Ferguson, Riggs, Darley, Graham, Powers and Hennessy.

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Petition 2012-25 was approved with six aye votes.

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PETITION 2012-19: A **Variation** to allow the addition of a 16 sq. ft. L.E.D. digital message center on an existing sign, located at 1806 McDonough Street.

Mr. Jackson read the staff report into the record.

Chairman Hennessey swore in the petitioner and owner Mr. Vidyut Patel, West Chicago, Illinois.

Chairman Hennessey asked if anyone wished to speak in favor of the petition and no one came forward.

Chairman Hennessey asked if anyone wished to speak in opposition to the petition and no one came forward.

Chairman Hennessey closed the petition and asked the board for a discussion and a vote.

Ms. Powers moved to approve the petition subject to conditions and Mr. Graham seconded the motion, which passed with 6aye votes. Voting aye were: Graham, Darley, Ferguson, Riggs, Powers and Hennessy.

Petition 2012-19 was approved with six aye votes.

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PETITION 2012-20: A **Variation** of a required front yard from 30 ft. to 26 ft. to allow construction of a 6 ft. X 10 ft. covered front porch, located at 1853 Cecily Drive.

Mr. Jackson read the staff report into the record.

Chairman Hennessy swore in the petitioner and owner, Mr. Brian Goddard, Joliet, IL.

Chairman Hennessy asked if anyone wished to speak in favor of the petition and no one came forward.

Chairman Hennessy asked if anyone wished to speak in opposition to the petition and no one came forward.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Ms. Darley moved to approve the petition and Mr. Ferguson seconded the motion, which passed with 6 aye votes. Voting aye were: Graham, Darley, Ferguson, Riggs, Powers and Hennessy.

Petition 2012-20 was approved with six aye votes.

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PETITION 2012-21: A **Variation** to allow a second illuminated 25 sq. ft. wall sign (rear of structure), located at 83 W. Jefferson Street.

Neither petitioner nor owner present at hearing to represent petition.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Mr. Graham moved to table the petition indefinitely, and Ms. Powers seconded the motion, which passed with 6 aye votes. Voting aye were: Graham, Darley, Ferguson, Riggs, Powers and Hennessy.

Petition 2012-21 was tabled indefinitely with six aye votes.

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PETITION 2012-22: A **Variation** to allow addition of a single face, 2 ft. X 7 ft. L.E.D. digital message center on an existing sign, located at 451 Collins Street.

Neither petitioner nor owner present at hearing to represent petition.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Ms. Powers moved to table the petition indefinitely, and Ms. Darley seconded the motion, which passed with 6 aye votes. Voting aye were: Graham, Darley, Ferguson, Riggs, Powers and Hennessy.

Petition 2012-22 was tabled indefinitely with six aye votes.

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PETITION 2012-24: A **Variation** of allowable signage to permit the addition of a 3.5 ft. X 7 ft. L.E.D. message center on an existing freestanding sign, located at 18 S. Larkin Avenue.

Mr. Jackson read the staff report into the record.

Chairman Hennessy swore in the petitioner Mr. John Streetz, Doyle Signs Co., Addison, IL.

Chairman Hennessy asked if anyone wished to speak in favor of the petition and no one came forward.

Chairman Hennessy asked if anyone wished to speak in opposition of the petition and no one came forward.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Mr. Graham moved to approve the petition subject to conditions, and Mr. Ferguson seconded the motion, which passed with 6 aye votes. Voting aye were: Graham, Darley, Ferguson, Riggs, Powers and Hennessy.

Petition 2012-24 was approved with six aye votes.

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PETITION 2012-26: A series of **Variations** of allowable signage; a variation of maximum sign height from 20 ft. to 24 ft.; a variation to allow an L.E.D. message center on a freestanding sign and a variation to allow a third and fourth wall sign at the site, located at 1800 W. Jefferson Street.

Mr. Jackson read the staff report into the record.

Chairman Hennessy swore in the petitioner Mr. Angelo Alex, Artistic Signs Co., Joliet, IL. Mr. Alex stated his client is requesting permission to use the existing pole sign for advertisement meanwhile the new sign is being constructed. The existing pole sign would be removed once the new sign is complete. Mr. Jackson stated staff has approved that request.

Mr. Riggs asked if the signs in the windows are in violation. Mr. Jackson stated those temporary signs will be removed once the new sign is constructed.

Chairman Hennessy asked if anyone wished to speak in favor of the petition and no one came forward.

Chairman Hennessy asked if anyone wished to speak in opposition to the petition and no one came forward.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Mr. Riggs moved to approve the petition subject to the recommended conditions, and Mr. Ferguson seconded the motion, which passed with 6 aye votes. Voting aye were: Graham, Ferguson, Riggs, Darley, Powers and Hennessy.

Petition 2012-26 was approved with six aye votes.

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PEITITION 2012-27: A **Special Use Permit** to allow conversion of a vacant church into a 40-unit senior living facility within the B-2 (Central Business) zoning district & a variance from the city's Planned Unit Development requirement, located at 113 N. Ottawa Street.

Mr. Jackson read the staff report into the record.

Chairman Hennessy swore in the petitioner Mr. Scott Henry, Wilmette, Illinois. He is also joined by other members of the development team. Mr. Henry continued to mention the other development team members involved in this project.

There was discussion regarding the target market, financing and development team for this project. Ms. Powers stated the age requirement is 55 years and older. It was mentioned there are two other facilities similar to this project which are The Victory Center and Senior Suites.

Chairman Hennessy asked Mr. Henry how he became aware this building was available. Mr. Henry stated the investors he was working with were looking at the hotel across the street but were unable to come to an agreement with the owner and were about the walk away when it was mentioned to them the church may be available.

Chairman Hennessy asked if anyone wished to speak in favor of the petition and no one came forward.

Chairman Hennessy asked if anyone wished to speak in opposition to the petition.

Chairman Hennessy swore in Mr. Richard Kavanagh, 111 N. Ottawa Street, Joliet, Illinois. He stated he has two issues with project. The first issue is the appropriateness of another housing development in the downtown area which is a business district. He continued to mention the various downtown development plans which outline the suggested future uses of property in the area. Mr. Kavanagh questioned the number of units to be developed and the anticipated cost and the other development issues.

Mr. Henry stated the number of units is anticipated to be 40 units and continued to address some of Mr. Kavanagh concerns.

Chairman Hennessy closed the petition and asked the board for a discussion and a vote.

Mr. Riggs moved to deny the petition. There was not a second therefore the motion failed.

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Ms. Powers moved to approve the petition, and Mr. Graham seconded the motion, which tied with 3 aye votes. Voting aye were: Graham, Darley and Powers. Voting nay were Ferguson, Riggs, and Hennessy.

Petition 2012-27 will proceed to City Council with no recommendation.

Chairman Hennessy asked for a verbal approval of the minutes of the May 17, 2012 meeting and this passed unanimously with a verbal vote.

Chairman Hennessey asked for a verbal vote to adjourn the meeting and the Board unanimously approved the motion to adjourn.

cc: B. Hanson, Neighborhood Services