

**VILLAGE OF CHERRY VALLEY, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY MARCH 15, 2023**

Chairman John Totten called the meeting to order at 6:30 PM. A Roll Call was taken by Deputy Village Clerk, Heather Riley:

CHAIRMAN:	JOHN TOTTEN	PRESENT	CHRIS PLUMMER	PRESENT
MEMBERS:	SALLY FLEEGLE	PRESENT	JIM SMETANA	PRESENT
	LARRY GRAY	PRESENT	PAT STEGEMANN	PRESENT
			GARY TIFFANY	ABSENT

Others Present: Attorney Jim Stevens, Trustee Jeff Fustin, Trustee Brandi Pearse, Village President David Schroeder, Village Administrator Jim E. Claeysen, and Deputy Village Clerk Heather Riley.

ADOPT THE AGENDA: Sally Fleegle moved to adopt the agenda. Chris Plumber seconded. A Roll Call Vote was taken:

JOHN TOTTEN	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	GARY TIFFANY	ABSENT
SALLY FLEEGLE	AYE	PAT STEGEMANN	AYE
CHRIS PLUMMER	AYE		

The motion PASSED by a vote of 6-0-1

APPROVE THE MINUTES: Sally Fleegle moved to approve the October 19, 2022 meeting minutes. Larry Gray seconded. A Roll Call Vote was taken:

JOHN TOTTEN	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	GARY TIFFANY	ABSENT
SALLY FLEEGLE	AYE	PAT STEGEMANN	AYE
CHRIS PLUMMER	AYE		

The motion PASSED by a vote of 6-0-1

EX-OFFICIO'S REPORT : TRUSTEE JEFF FUSTIN

Trustee Fustin stated that the Petitioner who requested PUD on Mill Road withdrew his request before it made it to the Village Board for discussion and review.

PUBLIC COMMENT: None.

NEW BUSINESS:

1. Jim Smetana moved to grant a Variance under Section 82-55 of the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-234(c)(4) CC - Commercial Community District to allow for a front yard setback of zero feet (0') on Lot 1 for the property commonly known as PIN: 12-35-176-003 (7311 CherryVale North Blvd) as indicated in red on the Plat which is available at the Village Hall. Chris Plummer seconded.

Attorney Eric Miller and Brian Harrington (owner of Everything Self Storage) stated that they are looking to put their fence on the lot line like they did with the other part of their building so that it matches up with the existing fence.

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Village Attorney Stevens read the Findings of Facts A - F to the Commission as follows:

- a. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of the chapter regulations were to be carried out;
6-AYE 0-NAY 1-ABSENT
- b. The conditions upon which a petition for a variation is based are unique to the property for which the variation is sought and are not applicable generally to other property within the same zoning classification;
6-AYE 0-NAY 1-ABSENT
- c. The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property;
6-AYE 0-NAY 1-ABSENT
- d. The granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
6-AYE 0-NAY 1-ABSENT
- e. The proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion of the public streets or increase the danger of fire, endanger the public safety, or substantially diminish or impair property values within the neighborhood; and
6-AYE 0-NAY 1-ABSENT
- f. The proposed variance complies with the spirit and intent of restrictions imposed by this chapter.
6-AYE 0-NAY 1-ABSENT

After the Findings of Facts were completed, a roll call vote was taken on the motion:

JOHN TOTTEN	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	GARY TIFFANY	ABSENT
SALLY FLEEGLE	AYE	PAT STEGEMANN	AYE
CHRIS PLUMMER	AYE		

The motion PASSED by a vote of 6-0-1

ADJOURNMENT: Chairman Totten entertained a motion to adjourn. Sally Fleegle moved to adjourn at 6:43 PM. Jim Smetana seconded.

A Roll Call Vote was taken:

JOHN TOTTEN	AYE	LARRY GRAY	AYE
JIM SMETANA	ABSENT	GARY TIFFANY	ABSENT
SALLY FLEEGLE	AYE	PAT STEGEMANN	AYE
CHRIS PLUMMER	ABSENT		

The motion PASSED by a vote of 6-0-1

Minutes recorded by Deputy Village Clerk Heather Riley.

Minutes reviewed by Village Administrator Jim E. Claeysen May 2, 2023.