

**VILLAGE OF CHERRY VALLEY, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY JULY 19, 2023**

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

CHAIRMAN:	JOHN TOTTON	PRESENT	BILL LAWSON	ABSENT
MEMBERS:	SALLY FLEEGLE	PRESENT	CHRIS PLUMMER	PRESENT
	LARRY GRAY	PRESENT	JIM SMETANA	PRESENT
			PAT STEGEMANN	PRESENT

Others Present: Attorney Jim Stevens, Trustee Jeff Fustin, Village Administrator Jim E. Claeysen, and Village Clerk Kathy Trimble.

ADOPT THE AGENDA: Jim Smetana moved to adopt the agenda. Chris Plummer seconded. A Roll Call Vote was taken:

JOHN TOTTON	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	BILL LAWSON	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 June 21, 2023 meeting minutes. Chris Plummer seconded. A Roll Call Vote was taken:

JOHN TOTTON	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	BILL LAWSON	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 Special Use Permit for the Elliott Golf Course Property was approved by the Village Board.

PUBLIC COMMENT: None.

NEW BUSINESS:

1. A request for a Text Amendment under Chapter 82, Section 82-56 to the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-112 - Application and Issuance of Permit to include payment of any costs of publication or mailing required to process the application.

Village Administrator Claeysen testified that the village is requesting a Text Amendment to update the Code of Ordinances to include all the costs of publication or mailings required to adjacent property owners to process any variance or special use application that would come before the Planning and Zoning Commission.

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Jim Smetana moved to approve a request for a Text Amendment under Chapter 82, Section 82-56 to the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-112 - Application and Issuance of Permit to include payment of any costs of publication or mailing required to process the application. Larry Gray seconded. A Roll Call Vote was taken:

JOHN TOTTEN	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	BILL LAWSON	ABSENT
SALLY FLEEGLE	AYE	PAT STEGEMANN	AYE
CHRIS PLUMMER	AYE		

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

2. A request for a Variance under Chapter 82, Section 82-55 of the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-7(e)(5)(b) to allow an eight foot (8') high fence to be constructed on the Eastern side of the property commonly known as 209 Genoa Street, Cherry Valley, Illinois, at the location indicated on the map filed at the Village Hall (PIN: 16-01-179-004).

Village Administrator Claeysen testified that the village is requesting a Variance to allow an 8' High Fence on the Eastern side of our new parking lot to block the headlights from vehicles especially big trucks from shining into the neighbor's houses.

Larry Gray moved to approve A request for a Variance under Chapter 82, Section 82-55 of the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-7(e)(5)(b) to allow an eight foot (8') high fence to be constructed on the Eastern side of the property commonly known as 209 Genoa Street, Cherry Valley, Illinois, at the location indicated on the map filed at the Village Hall (PIN: 16-01-179-004). Sally Fleegle seconded.

After continued discussion, 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

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- 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	BILL LAWSON	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. Jim Smetana moved to adjourn at 6:56 PM. Sally Fleegle seconded.

A Roll Call Vote was taken:

JOHN TOTTEN	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	BILL LAWSON	ABSENT
SALLY FLEEGLE	AYE	PAT STEGEMANN	AYE
CHRIS PLUMMER	AYE		

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

Minutes recorded by Village Clerk Kathy Trimble.

Minutes reviewed by Village Administrator Jim E. Claeysen on July 31, 2023.