

**VILLAGE OF CHERRY VALLEY, ILLINOIS
PLANNING AND ZONING COMMISSION MEETING
WEDNESDAY AUGUST 16, 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 TOTTON	PRESENT	BILL LAWSON	PRESENT
MEMBERS:	SALLY FLEEGLE	PRESENT	CHRIS PLUMMER	PRESENT
	LARRY GRAY	PRESENT	JIM SMETANA	PRESENT
			PAT STEGEMANN	ABSENT

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

ADOPT THE AGENDA: Larry Gray 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	AYE
SALLY FLEEGLE	AYE	PAT STEGEMANN	ABSENT
CHRIS PLUMMER	AYE		

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

APPROVE THE MINUTES: Sally Fleegle moved to approve the July 19, 2023 meeting minutes. Jim Smetana seconded. A Roll Call Vote was taken:

JOHN TOTTON	AYE	LARRY GRAY	AYE
JIM SMETANA	AYE	BILL LAWSON	AYE
SALLY FLEEGLE	AYE	PAT STEGEMANN	ABSENT
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 two items from the July Planning and Zoning Commission Meeting, a Text Amendment to update the village's Code of Ordinances regarding publication costs and the village's request for an 8-foot high fence at the village's 209 Genoa Street Parking Lot all passed at the Village Board level.

PUBLIC COMMENT: Ms. Shannon Borrett spoke to the committee regarding her concerns of the location of the EV Charging Stations. Ms. Borrett believed that they were going to be butting up to her property on the southside of the Circle K Store but after further explanation and showing her the map that the EV Charging Stations are on the northside, she was content with the location.

NEW BUSINESS:

1. Bill Lawson moved to approve a Variance under Chapter 82, Section 82-55 of the Code of Ordinances for the Village Cherry Valley, Illinois to Section 82-234(c)(3) CC -Commercial Community District to allow for the installation of electrical charging stations within 16.75 feet of the north side yard setback for the property commonly known as 2301 S. Perryville Road, Cherry Valley, Illinois at the location indicated on the map filed at the Village Hall (PIN: 12-34-476-021). Sally Fleegle seconded.

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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
- 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	AYE
SALLY FLEEGLE	AYE	PAT STEGEMANN	ABSENT
CHRIS PLUMMER	AYE		

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

- 2. Sally Fleegle moved to approve a request for a Text Amendment under Chapter 82, Section 82-56 of the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-233 - CN - Commercial Neighborhood District, Paragraph (a) Permitted Uses to allow the following: a) Resale Shops. Larry Gray seconded. A Roll Call Vote was taken:

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

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

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Mr. Marco Altamore, Mr. Kurtis VanBarriger, Mr. Devin Hitch, and Mr. TJ Kruger came and spoke about what kind of Tattoo Parlor they want to open in the Village. Mr. Altamore and Mr. VanBarriger currently own the building located at 7164 Cherryvale N Blvd Rockford, Illinois, 61112 and Mr. Hitch and Mr. Kruger would like to utilize the lower level suite to open a tattoo parlor as well as plans to eventually sell local art and a space for local artist to work.

3. Bill Lawson moved to approve a request for a Text Amendment under Chapter 82, Section 82-56 of the Code of Ordinances for the Village of Cherry Valley, Illinois to Section 82-234 - CC - Commercial Community District, Paragraph (b) Special Uses to allow the following: b) tattoo parlors. Chris Plummer seconded.

A Roll Call Vote was taken:

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

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

ADJOURNMENT: Chairman Totten entertained a motion to adjourn. Chris Plummer moved to adjourn at 7:05 PM. Sally Fleegle seconded.

A Roll Call Vote was taken:

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

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 on October 10, 2023.