

**Jo Daviess County Planning Commission/Zoning Board of Appeals  
Minutes for Meeting  
At the Courthouse-7:00 PM  
December 18, 2019**

**Call to Order:** Meeting to order at 7:00 p.m.

**Roll Call Present:**

**Planning Commission:**

- ✓ Melvin Gratton
- ✓ Nick Tranel
- ✓ Laura Winter  
Ron Mapes
- ✓ Gary Diedrick
- ✓ Peter Huschitt, Alternate  
vacant, Alternate

**Staff & County Board Members:**

- Steve Keeffer, Highway Engineer
- Sandra Schleicher, JDC Health Dept.
- John Hay, State's Attorney
- ✓ Eric Tison, Planning & Development
- ✓ Robert Heuerman, JDC Board Member
- ✓ Melissa Soppe, Planning & Development

**Approval of Minutes:** A motion was made by Tranel to approve the minutes of November 20, 2019. Seconded by Winter. Voice Vote: All Ayes

Mel Gratton swore in all who might want to testify on any request this evening.

**New Business**

**Josh and Kathryn Ries (4382 S Derinda Road, Elizabeth, IL 61028) owners,** have petitioned for a Variance in the front yard setback, as established in Title 8, Chapter 3, Article A, Section 8-3A-6 A1b Public Streets, from the required one hundred ten (110) feet to seventy six (76) feet, a thirty four (34) foot variation to place an attached garage addition to the existing structure. Property is located in the AG Agricultural District. Commonly known as 4382 S Derinda Road, Elizabeth, IL

**Staff**

- Comprehensive Plan: The Comprehensive Plan does not address Variances, however this parcel lies within the 1.5 planning radius of the Village of Elizabeth.
- Wastewater Treatment: The septic system serving this property was installed in 1977 and located west of the house. The variance request should not affect this system but upgrades would be required if the project is approved.
- Access Considerations: Visited the site, no issues with access or variance request
- Other Considerations: The property is located in Woodbine Township on the west side of S Derinda Road, south of Highway 20. The parcel is a Lot of Record with an existing residence built in approximately 1977. A permit was issued in 2017 for a ground mounted solar array. Per the application, the owner would like to construct an attached addition to the existing residence. Derinda Road requires a front setback of 110' from the centerline. The parcel consists of less than 3 acres, allowing for no more than 2,400 square feet of non-agricultural accessory space. As proposed, the total accessory square footage calculates to 2,205 square

feet and therefore does not require a variance. The adjoining parcels are zoned AG.

Diedrick asked about the proposed porch that would be within the setback, would that need to be included since it is also within the setback.

- Tison indicated no, the porch is no closer than the requested garage and included in that. The front corner of the garage would be the new setback if approved.

Peter Huschitt entered meeting 7:10pm

Adam Johnson, Architect 211 4<sup>th</sup> St., Galena

- Request is pretty simple, looking for an attached garage and the way the property drops off and the approach and would be nicer to have the garage come in front of the house, given the property on either side seem to be on that established setback, seems to work fine with the local contacts. I ask for a positive approval, please.

Gratton states that this is a very long and narrow lot and it does have some topographical features for anybody who did not get to see it, could you explain what the situation is and why this is and what exists as far as other features on the property and topography.

- Adam Johnson indicates that the lot is pretty much flat off the road, until you get to the house, then it starts dropping off pretty well, from the face of the house back it drops off pretty well down to the back. Build the garage behind the setback would create a more of a situation with getting driveway longer and a grading problem with garage sitting behind the house. Building the garage more to the front property would help with grading and the driveway approach.

Gratton states that there are other features back there such as the septic field. Where is your water supply?

- Josh Ries states that it is off the right front corner of the house about 15 feet.

Gratton states that both of these present obstacles, so we just want to know where they are.

Tranel asks if any questions from neighbors.

- Tison indicates no comments received on this.

### **Public Testimony**

None

### **Public Testimony Closed**

Gratton states that topography and the issues behind the house.

Winter states that all the houses in stretch are in same situation with setback and topography. They were probably sited there before zoning, but are at that requested setback.

Gratton states that we like to keep in line, but no closer than other existing properties.

Huschitt indicates that the line of the other buildings is what I looked at as well. What if you put the garage in line north and south with the house.

- Adam Johnson states that it drops off and to be able to use the lower level garage entry way you start falling off further down the hill, it is harder to get back around.

Gratton states I don't have the dimensions but if to change then you might be close to that south side lot line for setback.

Standards for variance reviewed 1 – true; 2 – true; 3 – true; 4 – true; 5 – ok; 6 – ok; 7- ok  
Standards met

A motion was made by Diedrick to approve the variance request as presented from the front property line of one hundred ten (110) feet to seventy six (76) feet, a thirty four (34) foot variation to place an attached garage addition to the existing structure stating the following:

1. Standards for variance reviewed and met

Seconded by Tranel

Roll Call: Gary Diedrick – Aye Peter Huschitt – Aye  
Nick Tranel – Aye Mel Gratton – Aye  
Laura Winter – Aye

**Jaime Salazar Alvarado and Flor M Salazar (11796 W Cross Road, Galena, IL 61036) owners**, have petitioned for a Variance in the required side yard setback, as established in Title 8, Chapter 3, Article A, Section 8-3A-6 2 Minimum Side Yards, from the required twenty (20) feet to fifteen (15) feet, a five (5) foot variance to place an attached garage addition to the existing structure. Property is located in the AG Agricultural District. Commonly known as 11796 W Cross Road, Galena, IL

**Staff**

- Comprehensive Plan: The Comprehensive Plan does not address Variances, however this parcel lies within the Contiguous Growth Area of the City of Galena.
- Wastewater Treatment: The septic system serving this house was installed in 1980 and is located north of the house. This request should not affect the system. Any plumbing flows from the garage will require upgrades to the septic system.
- Access Considerations: Visited the site, no issues with access.
- Other Considerations: The property is located in West Galena Township on W Cross Road, approximately 1 mile west of the City of Galena. The parcel is a Lot of Record. The existing residence was built in approximately 1980. A permit was issued in 2018 for an addition to the existing residence. Per the application, the owner is proposing to replace the existing detached garage with an attached garage. All surrounding properties are zoned AG Agricultural.

Tison indicates no questions from neighbors. The previous garage was closer to the property line than what they are requesting now.

Chad McCartney, contractor for the owner

- They want to do an attached garage, the detached garage was taken down, it was in rough shape, and it was 14 foot off the side property line. The new proposed would hook onto the house and it would be 15 feet off side property line.

Gratton states as far as setbacks we are making progress. Are there other options or situations that would make it impossible to put in another location.

- Chad indicates the left side of the house is closer to the property line, to the rear is the septic. I think this is the best option and hooking on to the house it is the only option.

Gratton states that this is also a long narrow lot that limits.

**Public Testimony**

None

