

MINUTES OF A SPECIAL MEETING OF
THE FISHER PLANNING & ZONING COMMISSION
Thursday, March 14, 2019
5:30pm

A special meeting of the Planning and Zoning Commission of the Village of Fisher was held at 5:30pm on Thursday, March 14, 2019 at the Fisher Community Center, 100 E. School Street, Fisher, IL. The meeting was called to order by Chairman Dornbusch at 5:32pm.

Commissioners present: Dave Dornbusch, Steve Hammond, Debbie Heiser, and Denny McCool – 4
Commissioners absent: Rick Shep – 1
Also present: Building & Zoning Administrator Jeremy Reale and Village Attorney Marc R. Miller

The minutes for the previous meeting had been distributed electronically to the commissioners for review. Following review of the minutes, Commissioner McCool moved to approve the minutes of the December 12, 2018 meeting as prepared. Commissioner Hammond seconded the motion. Motion carried, all voting aye.

Chairman Dornbusch announced that the purpose of the special meeting was to conduct a public hearing and consider the petition for a variance to the minimum setback requirements in the R2 zoning district filed by Brandon Chandler.

Mr. Chandler explained that he is under contract to purchase the vacant lot at 28 Green Street, which is located at the corner of Green and Fifth Streets. He proposed to construct an 80' wide, four unit multifamily residential structure on the 127' x 100' lot; however, he preferred to situate the structure in such a manner that it would face the 100' wide Fifth Street frontage rather than Green Street. This configuration would allow for a larger back yard area for the residences and would better complement future development plans for the area to the south of the property. Mr. Chandler eventually envisioned a similar structure being developed further along South Fifth Street.

Mr. Reale explained that Section 40-3-1 of the Fisher Code of Ordinances (Zoning Code) provided that the minimum required setbacks in the R2 zoning district were 25' from the front lot line and 7.5' from side lot lines. Because the petitioner's property was a corner lot, each of the street facing sides would be considered front yards for the purpose of enforcing setback requirements. With the configuration of the structure proposed by Mr. Chandler, there would be a maximum of 67.5' of buildable width within the setback limits. In order to accommodate the planned 80' structure, the petitioner was requesting reductions in the side yard setback from the south lot line to 5' and the front yard setback from the north lot line to 15'.

Mayor Michael Bayler noted that the plans presented by Mr. Chandler included an off-street parking area in front of the structure and inquired about the access drive from Fifth

Street, as that section of the street was limited to one-way northbound traffic only. Mr. Chandler responded that there would be access drives to the parking area from both Green Street and Fifth Street. The Green Street access would be constructed to accommodate both ingress and egress, while the Fifth Street drive would be one lane limited to outbound traffic. It was noted that the Village would maintain the existing one-way designation for South Fifth Street until such time that further development was contemplated in that area.

Chairman Dornbusch noted that the property in question was across the street from Fisher Grade School and asked that Mr. Chandler consult with school district officials on his plans for the property. Mr. Chandler stated that he would most likely plan to begin construction in 2020.

There being no further public comments on the proposal, the public hearing was closed.

In discussing the petition for variance, the general consensus of the Commission favored granting the variance based upon the following findings of fact:

- I. The property in question cannot be economically used under the conditions allowed by the regulations because the construction of the structure as proposed is an integral part of residential property use and the needs of the property justify the structure as proposed. Denial of the request would impair the economic use of the property.
- II. The plight of the owner is due to unique circumstances because the property ratios, uses allowed by the Ordinance, situation of existing improvements on the lot, and the needs of the property owner are unique.
- III. That the variance, if granted, would not alter the essential character of the locality, impair adequate supply of light and air to adjacent property, increase the condition of traffic, diminish or impair property values in all localities because the proposed improvements are consistent with the existing structures on the property and would not have an effect on neighboring property.

In consideration of the foregoing findings of fact, Commissioner McCool moved to recommend to the Board of Trustees that the petition for variance be granted, contingent upon Brandon Chandler taking title to the property. Commissioner Hammond seconded the motion.

The Recording Secretary called the roll:

YEAS:	Hammond, Heiser, McCool, and Dornbusch – 4
NAYS:	None – 0
ABSENT:	Shep – 1

The motion carried by roll call vote of 4 to 0.

Chairman Dornbusch then asked the commissioners to consult their schedules to identify an acceptable date to hold a planning and zoning orientation session with the village attorney. The consensus of the Commission was to schedule this session for Thursday, April 25, 2019 at 5:30pm.

There being no further business to come before the Commission, Commissioner McCool moved to adjourn the meeting. Commissioner Heiser seconded the motion. Motion carried viva voce vote.

The meeting was adjourned at 5:57pm.

Respectfully submitted,

Jeremy A. Reale
Recording Secretary