

**TOWN OF NORMAL ZONING BOARD OF APPEALS
REGULAR MEETING THURSDAY, JUNE 18, 2020, 5:00 P.M.
HELD ONLINE
NORMAL, ILLINOIS**

Members Present via Zoom:

Mr. Anderson, Mr. Palmgren, Mr. Blakney, Ms. Brand and Mr. Penn

Members Absent:

Mr. Schaab

Others Present via Zoom:

Director of Inspections, Greg Troemel, Town Planner, Mercy Davison, Deputy Corporation Counsel, Jason Querciagrossa, and Office Associate, Kody Swaney

Call to Order:

The meeting was called to order at 5:00 p.m.

Approval of Minutes:

Mr. Palmgren moved, seconded by Mr. Blakney, to approve the minutes of the January 28, 2020, meeting.

Ayes: Mr. Anderson, Mr. Palmgren, Mr. Blakney, Mr. Penn, and Ms. Brand

Nays: None

Motion declared carried.

Public Hearings:

a. 20-06-03-V: Variance for Rear Yard Setback, 400 Augustine Way

Ms. Davison reviewed the staff report. The applicant would like to build a 14x14 screened in porch on the backside of the house. One corner of this porch would encroach into the required setback. Town staff is supporting this proposal.

Chairman Anderson asked Ms. Davison if they had heard from any neighbors regarding this request. Ms. Davison stated one neighbor called to ask what the sign in the yard meant and were otherwise unconcerned.

Karen Wisdom, 400 Augustine Way, Normal, IL, was sworn in by Chairman Anderson. She stated the house is partially an A frame and partially a one story. The proposed

porch will be added off the back of the home separate from the A frame. The covered patio will extend off the first-floor roof as an A frame also so that it may look as if it was an original part of the home. She does not want to impact the tree, which provides shade and coolness in the summer.

There was no one else to speak regarding the application, and the public hearing was closed.

Mr. Blakney commented that the largeness of the lot does make this a unique situation.

Mr. Blakney moved, seconded by Ms. Brand, to approve the variance as requested.

Ayes: Mr. Anderson, Mr. Palmgren, Mr. Blakney, Ms. Brand and Mr. Penn

Nays: None.

Motion declared carried.

b. 20-06-04-SU: Amended Special Use Permit for Second Freestanding Sign, 1320 E. College (Journey Church)

Ms. Davison reviewed the staff report. This property is entitled to have one freestanding sign as it has one street frontage. A second sign was installed with posts, electrical wiring for lighting and a removable banner to promote church service times and events. Unbeknownst to the church, the second sign does not meet code requirements, to which the applicants were very apologetic and removed the banners; however, the posts are still there since they were already installed. The applicants are hoping to leave the posts in place and change out the banners as needed.

Douglas Sterling, 1406 O'Reilly Ct., Normal, IL, and Jason Damkoehler, 19350 Woodland Trl., Bloomington, IL, were sworn in by Chairman Anderson. Mr. Damkoehler said that at heart, they are really wanting to engage the community to let them know they are welcome at Journey Church. They did consider a video sign, however, thought that would be distracting to drivers and not as complementary to the church. The sign they had installed prior to knowing the Town's process are produced by a design group in town and would be very professionally produced and well thought out.

Chairman Anderson asked Town staff if this request were approved if it would open the door for any other type of sign variation.

Mr. Troemel stated that this second sign is indeed a temporary sign by its construction. He stated if it is the Board's desire to support the second sign then he asks the church must recognize that the Town would expect a permanent sign and not one with 4x4 posts, although a changeable copy may be possible. His concern with being the sign administrator for the community is that the Town does struggle with regulating

temporary signs on balance. Prior to modifying the sign code circa 2002, a property owner was entitled to a temporary sign for 14 days. This was expanded to 84 days with the intent that a business or enterprise could advertise for one week each month of the year. He stated that he does not believe the Board has the authority to authorize going beyond 84 days with the type of sign structure.

Mr. Sterling asked if permanent lighting is possible on a temporary sign. He also explained that the church is wanting to have the signs up for longer than five days prior to the event, which is currently one of the temporary sign limitations.

Mr. Damkoeler thanked the Board for the dialogue and asked if there was anything the church could do to be amenable to the Zoning Code as described. Mr. Tromel said that ordinarily the Town does not allow lighting for temporary signs or displays. He continued to state that a better alternative than manipulating the current temporary sign code would be a second permanent sign.

Mr. Damkoeler said that the church wants to set an example in the community and asked what they could do to invest in a more permanent sign with changeable messages. Ms. Davison said that was good to hear and clarified that it helps the Zoning Board focus in on whether they will recommend the Special Use Permit to have two freestanding signs. She reiterated that the staff recommendation really does not support more than the entitled one freestanding sign. She stated this recommendation or denial will go to the Town Council because it is a special use permit.

Chairman Anderson inquired about possibly putting something on top of the sign the church already has instead of the temporary sign.

Ms. Davison said the current permanent sign could indeed reach the ten-foot maximum if they wanted to add to the top of the permanent sign.

Mr. Troemel said they could modify an existing sign on a permanent basis. They could potentially add structure to the top of the current permanent sign and then would have ability to add panels for additional display.

Mr. Damkoeler stated he appreciates the support and desire to come to a solution. He said something like that may have more of a distraction and not look as aesthetically pleasing. Mr. Troemel said he appreciated that and wouldn't disagree.

Mr. Damkoeler commented that they are really wanting to engage our community and make this look as nice as possible.

There was no one else to speak regarding the application, and the public hearing was closed.

Mr. Palmgren asked for clarification on what exactly the Board was voting on. Ms. Davison explained the Board is essentially voting on whether to permit a second permanent sign.

Mr. Blakney clarified that the Board was doing an amended special use permit request for a second permanent sign. Ms. Davison stated that was correct.

Mr. Palmgren asked staff how often the Zoning Board turned down other businesses that wanted a second permanent sign.

Chairman Anderson stated there is always that the possibility that it will open things up for other businesses; however, the Board will try to look at these as individual projects and make the decisions based on that.

Ms. Brand asked if a second permanent sign would run with the Special Use Permit or run with the property. Ms. Davison stated it will run with the property if the new property owners utilize it as a church. In her opinion, if this property switched to another type of special use that you can have within R1 zoning, the signs would be off the table again.

Ms. Brand asked if the motion would be to approve the amended special use permit to allow for a second sign. Ms. Davison agreed that would be the motion and she would consider adding to that to include some sort of size limitation with the same size sign that is currently installed.

There was discussion regarding the size of the proposed second sign with regards to the motion.

Ms. Brand moved, seconded by Mr. Palmgren, to recommend an amended special use permit that would allow a second permanent sign that would be no taller than 65 inches with panels no greater than 15 square feet each.

Ayes: None

Nays: Mr. Penn, Ms. Brand, Mr. Palmgren, Mr. Blakney, Mr. Anderson

Motion failed.

Ms. Davison informed the applicants that this will go to Town Council on July 6 with a negative recommendation, but the Council can vote either way. She stated the July 6 Council meeting will not be a public hearing and they will not have the opportunity to speak unless they sign up in advance. She stated they can contact her prior to that date, and she will help assist in getting them signed up to speak at the hearing.

Mr. Damkoehler thanked everyone for their time and said he appreciated it.

c. 20-06-05-V: Variance for Rear Yard Setback, 400 Thicket Point

Ms. Davison reviewed staff report. She said the property has a one-story house with three-car garage and an uncovered patio in the backyard about 16 x 16 feet. The backyard has a privacy fence and there are homes being built to the north behind the privacy fence; however, the houses to the north sit at higher elevation. The applicant is requesting to rebuild the patio to different dimensions and similar overall size but with a roof. Typically, with 35-foot setbacks, code permits a covered patio to encroach up to 10 feet into these setbacks; however, this proposed covered patio would encroach an additional 8 feet for a total of 18 feet encroachment. This is request is for a covered patio and not a sunroom.

Chairman Anderson asked if there were any questions for staff.

Ms. Brand questioned if the size of the current concrete pad was 16 x 16 feet. Ms. Davison agreed and stated the proposed covered patio would be about 18 x 14 feet. Ms. Brand asked if the current concrete pad was within code. Ms. Davison said it was because there is no covering or roof. Ms. Brand asked if the applicant would need a variance if they wanted to cover the concrete pad they have now. Ms. Davison reiterated they would because the home is sitting at the 35-foot setback line and with current code they can only encroach 10 feet into that required 35-foot setback.

Ms. Davison stated she received an email from a neighbor that said they thought the variance request was fine.

Ronald J. DeLong, 400 Thicket Point, Normal, IL, was sworn in by Chairman Anderson. He stated he has drawn up plans for landscaping in the backyard. He is approaching retirement age and as he has gotten older, he feels it has gotten hotter in his backyard. They are trying to find a way to keep the base of the patio and furniture covered, as well as keep them out of the direct sun. He stated the builders have raised the home up behind him a fair amount. He put into perspective that this home was raised so much so that if his neighbor were standing on his own patio, Mr. DeLong could see his neighbor's waist over a six-foot fence. He is hoping for more privacy and shade with the requested covered patio plans.

Mr. Blakney asked Mr. DeLong if it he change from 18 x 14 feet to 14 x 18. Mr. DeLong said it could be a possibility and he is wanting to keep the square feet for the table and chairs and space for family to sit in the shade.

There was discussion regarding changing the size of the patio and what that would look like.

Dino Carlino, 306 Thicket Point, Normal, IL, was sworn in by Chairman Anderson. He stated his house is built like Mr. Delong's. He agreed the patio gets hot from the east-west sun. The street behind Thicket that is currently being developed is Bobwhite Way to the north and is in fact very high. He continued that even with 6-foot privacy fence the new houses that are coming up can easily see into the south neighbor's lot. He stated he is a member of the board for the homeowners' association. The homeowners' association will do an architectural review of the area and once complete they will also complete a vote. He concluded that he understands the request and does not see any problems with this from the HOA perspective or from his perspective as a neighbor.

There was no one else to speak regarding the application and the public hearing was closed.

There was much discussion regarding possible different dimensions and variation request clarifications.

Mr. Penn moved, seconded by Mr. Palmgren, to approve the variance as requested.

Ayes: Mr. Anderson, Ms. Brand and Mr. Penn

Nays: Mr. Palmgren and Mr. Blakney

Motion declared carried.

d. 20-06-06-V: Variance for Rear Yard Setback, 2730 Wharton Way

Ms. Davison reviewed the staff report. Owner would like to remove the deck and add a sunroom addition on the back of the home. The current deck leaves a 22-foot setback and the proposed sunroom would leave a 17-foot setback. The sunroom has not been fully designed so it may have less glazing than code requires. This applicant is looking for two variances: an 8-foot rear yard variance and a glazing variance for the sunroom. This is an unusual size lot with the detention basin directly behind the property.

Dustin Carter, 2730 Wharton Way, Normal, IL, was sworn in by Mr. Anderson. He acknowledged and thanked the Board and Staff for their time. He is wanting to install a swim spa inside the sunroom to help with health and nutrition. He consulted with his next-door neighbor and received support from them for this project. He also hired a professional civil engineer to provide professional schematics and designs. As this is the first property that the public sees when entering the subdivision, he wanted the addition to look aesthetically pleasing. He has had positive responses from his neighbors.

Mr. Blakney asked if the Town of Normal maintained the grass around the detention basin. Mr. Carter stated he is responsible for mowing and taking care of the lawn up to the basin. The homeowner's association hires a private entity to care for the grounds.

There was no one else to speak regarding the application and the public hearing was closed.

Mr. Palmgren commented that one of the neighbors had called him directly and was perfectly fine with voting in favor of this zoning variation. He continued that the neighbor stated this is a great idea and will only enhance the other homes around it.

Mr. Palmgren moved, seconded by Mr. Blakney, to approve the variance as requested.

Ayes: Mr. Palmgren, Ms. Brand, Mr. Penn, Mr. Blakney, Mr. Anderson

Nays: None.

Motion declared carried.

Other Business:

None

Adjournment:

There being no further business, Mr. Penn moved, seconded by Mr. Schaab, to adjourn the meeting at 6:34 p.m.

Respectfully submitted,

Kody Swaney
Office Associate