

**MINUTES
CITY OF ST. CHARLES
ZONING BOARD OF APPEALS
THURSDAY, SEPTEMBER 25, 2014**

Members Present: Chairman Elmer Rullman III
Secretary Nabi Fakroddin
Scott Buening
James Holderfield
Robert Krawczyk
Betty Weisman
Charles Simpson (7:01PM)

Member Absent: None

Also Present: Russell Colby, Planning Division Manager
Ellen Johnson, Planner
Court Reporter

1. Call Hearing to Order.

Chairman Rullman called the hearing to order at 7:02 PM on Thursday September 25, 2014.

2. Roll call.

Roll was called with seven members present.

3. Presentation of Minutes from the July 24, 2014 meeting.

A motion was made by Mr. Fakroddin and seconded by Mr. Holderfield to accept the minutes as presented.

4. Variation Application V-4-2014, filed by Robert and Claudia Dorr, owners of the property located at 824 W. Main Street in the City of St. Charles.

Secretary Fakroddin summarized/read into the record the following:

- Variation Application V-4-2014 for 824 W. Main Street.
- Variation request was published in the Kane County Chronicle on September 4, 2014.
- Plat of Survey submitted, signed and sealed by Emmett J. Krush.

Chairman Rullman swore in the following:

- Russell Colby, Planning Division Manager
- Robert Dorr, 6N531 Palomino Drive, St. Charles, IL 60175

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

A motion was made by Mr. Fakroddin, and seconded by Mr. Buening as follows:

Whereas, it is the responsibility of the St. Charles Board of Zoning Appeals to review all applications for variations; and

Whereas, the St. Charles Board of Zoning Appeals has reviewed V-4-2014, dated August 20th, 2014, and received on August 25th, 2014, from Robert and Claudia Dorr for the property located at 824 West Main Street in the City of St. Charles for a variation to reduce the front-yard setback requirement for a freestanding sign from 10 feet to 1 feet; and

Whereas, the proposed variation will not alter the essential character of the property; and

Whereas, the proposed 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; and

Whereas, the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the danger of fire, or otherwise endanger the public safety, or substantially diminish or impair property values within the neighborhood; and

Whereas, moving the sign from its existing location to comply with the 10-foot setback requirement will obstruct the visibility of the sign due to the building next door to the west; and

Whereas, the existing sign located on the property is a nonconforming sign; and

Whereas, the St. Charles Zoning Ordinance requires all nonconforming signs to be brought into compliance with the zoning ordinance sign standards by October 16, 2014.

Now, therefore, the St. Charles Board of Zoning Appeals grants the variation requested, with the stipulation that is specified in Section 17.04.310.F of the Municipal Code of the City of St. Charles. This variation shall lapse after 12 months from the date of granting thereof unless the construction authorized is commenced on a building permit for the use specified by the variation within 12 months or the use is commenced within such period.

Now, therefore, the St. Charles Board of Zoning Appeals grants the variation requested.

Roll Called:

Ayes: Buening, Fakroddin, Holderfield, Rullman, Weisman, Simpson, Krawczyk

Nays: None

Motion carried; Variation granted. 7-0

5. Variation Application V-5-2014, filed by Victoria Montejo from Moran Signs and Lighting, Inc., as representative for Manuel Artega, owner of the property located at 2125 W. Main Street in the City of St. Charles.

Secretary Fakroddin summarized/read into the record the following:

- Variation Application V-5-2014 for Victoria Montejo
- Variation request was published in the Kane County Chronicle on September 9, 2014.
- Plat of Survey submitted, signed and sealed by Arrow Todd Surveying Company

Exhibit A-Letter authorizing Victoria Montejo to act on behalf of Manuel Artega.

Chairman Rullman swore in the following:

- Russell Colby, Planning Division Manager
- Victoria Montejo, 225 James Street, Unit 7, Bensenville, IL

The attached transcript prepared by Chicago Area Real Time Court Reporting is by reference hereby made a part of these minutes.

Variation was tabled until hearing on October 23rd at 7:00 p.m.

6. Additional Business from Board members, Staff, or Citizens. – None.

7. Adjournment at 7:48PM

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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE ZONING BOARD OF APPEALS
OF THE CITY OF ST. CHARLES

In Re the Matter of:)
)
Variation application) No. V-4-2014
for the property)
located at 824 West)
Main Street.)

REPORT OF PROCEEDINGS
City of St. Charles Council Chambers
Second Floor
2 East Main Street
St. Charles, Illinois 60174

September 25, 2014
7:00 p.m. to 7:12 p.m.

Reported by: Joanne E. Ely,
CSR, RPR
Notary Public, Kane County, Illinois

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PRESENT:

- MR. ELMER RULLMAN III, Chairman;
- MR. NABI FAKRODDIN, Secretary;
- MR. SCOTT BUENING, Member;
- MR. JAMES HOLDERFIELD, Member;
- MR. ROBERT KRAWCZYK, Member;
- MR. CHARLES SIMPSON, Member; and
- MS. BETTY WEISMAN, Member.

ALSO PRESENT:

- MR. RUSSELL COLBY, Planning Division Manager; and
- MS. ELLEN JOHNSON, Planner.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

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1 CHAIRMAN RULLMAN: All right. Let's
2 call this meeting to order at 7:00 p.m.

3 Mr. Secretary, please call the roll.

4 SECRETARY FAKRODDIN: Mr. Buening.

5 MEMBER BUENING: Here.

6 SECRETARY FAKRODDIN: Mr. Fakroddin, here.
7 Mr. Holderfield.

8 MEMBER HOLDERFIELD: Here.

9 SECRETARY FAKRODDIN: Mr. Krawczyk.

10 MEMBER KRAWCZYK: Here.

11 SECRETARY FAKRODDIN: Mr. Rullman.

12 CHAIRMAN RULLMAN: Here.

13 SECRETARY FAKRODDIN: Mr. Simpson.

14 MEMBER SIMPSON: Charlie isn't here.

15 SECRETARY FAKRODDIN: Ms. Weisman.

16 MEMBER WEISMAN: Here.

17 SECRETARY FAKRODDIN: One absent.

18 CHAIRMAN RULLMAN: All right. One
19 absent.

20 Are there any additions or corrections to the
21 minutes of the previous meeting?

22 (No response.)

23 CHAIRMAN RULLMAN: If not, I will accept
24 a motion to approve.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

4

1 SECRETARY FAKRODDIN: So moved,
2 Mr. Chairman.

3 MEMBER HOLDERFIELD: Second.

4 CHAIRMAN RULLMAN: Moved and seconded.
5 All in favor say aye.

6 (Ayes heard.)

7 CHAIRMAN RULLMAN: All opposed same
8 sign.

9 (No response.)

10 CHAIRMAN RULLMAN: Mr. Simpson has
11 arrived.

12 Right in front of you you should have agendas
13 here, tonight's agenda. We have a seven-member board.
14 We will allow everyone who wants to speak to speak in
15 order.

16 So at this time, we will open the hearing on
17 Variation Application V-4-2014 filed by Robert and
18 Claudia Dorr.

19 Mr. Secretary, please read the relevant
20 information.

21 SECRETARY FAKRODDIN: Application for a
22 variation, File No. V-4-2014 was received on
23 August 25th, 2014, in the office of the St. Charles
24 Planning Division.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

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1 The applicants, Robert and Claudia Dorr, have
2 listed their home address as 6N531 Palomino Drive,
3 St. Charles, Illinois 60175.

4 The applicants have indicated the property
5 owners of record to be Robert and Claudia Dorr. The
6 owners acquired the property at 824 West Main Street,
7 St. Charles, Illinois 60174, a retail store, in 1990.

8 The application is signed by Robert Dorr and
9 is dated August 20th, 2014. The survey of the property
10 as submitted is sealed and signed by Emmett J. Krush, a
11 licensed professional land surveyor with Registration
12 No. 2502, and dated 30th April 1990.

13 Evidence of publication of legal notice is
14 submitted which was published in the Kane County
15 Chronicle on September 4th, 2014.

16 The applicants are requesting a variation to
17 maintain their sign at the existing setback of 1 foot
18 instead of the required 10-foot setback. The reason
19 for this request is because it is a preexisting sign.
20 Moving back 10 feet to comply with the required setback
21 would obstruct the visibility of the sign due to the
22 building next door.

23 That's the application, Mr. Chairman.

24 CHAIRMAN RULLMAN: Thank you.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

6

1 Is the applicant present?

2 MR. DORR: Yes.

3 CHAIRMAN RULLMAN: All right. Will
4 everyone who would like to be heard on this application
5 please rise and raise your right hand.

6 (Witnesses duly sworn.)

7 CHAIRMAN RULLMAN: Please give your name
8 and address to the recorder.

9 MR. COLBY: Robert Dorr, 6N531 Palomino
10 Drive, St. Charles, Illinois 60175.

11 CHAIRMAN RULLMAN: All right. Let the
12 record show that Russell Colby, the planning division
13 manager was also sworn.

14 And the floor is yours to present whatever
15 you'd like.

16 MR. DORR: The only thing I'd like to
17 add other than what you have on the application is that
18 when I first got the letter from the City --

19 MEMBER HOLDERFIELD: Excuse me. Could
20 you speak up.

21 CHAIRMAN RULLMAN: Speak into the
22 microphone.

23 MR. DORR: I would like to say that I
24 applied for a permit immediately when I got the notice

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

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1 from the City that my sign did not comply, and so I got
2 a permit and an approval after I was done with it.

3 What I did is I cut the sign down, lowered it
4 to the required height, and I relettered the sign, and
5 the sign was approved other than the setback, which
6 brings us here. Thank you.

7 CHAIRMAN RULLMAN: Any questions from
8 the Board?

9 MEMBER WEISMAN: What year was that that
10 you received that?

11 MR. DORR: 2011.

12 MEMBER WEISMAN: The note from the City?

13 MR. DORR: Yes.

14 CHAIRMAN RULLMAN: Any other questions?

15 (No response.)

16 CHAIRMAN RULLMAN: Are there any
17 objectors present?

18 (No response.)

19 CHAIRMAN RULLMAN: Let the record show
20 that there are no objectors present.

21 Any discussion or questions by the Board? If
22 not, I'll consider a motion.

23 SECRETARY FAKRODDIN: Do you want me to
24 make the motion? I haven't done this in a long time.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

1 Whereas, it is the responsibility of the
2 St. Charles Board of Zoning Appeals to review all
3 applications for variations; and

4 Whereas the St. Charles Board of Zoning
5 Appeals has reviewed V-4-2014, dated August 20th, 2014,
6 and received on August 25th, 2014, from Robert and
7 Claudia Dorr for the property located at 824 West Main
8 Street in the City of St. Charles for a variation to
9 reduce the front-yard setback requirement for a
10 freestanding sign from 10 feet to 1 feet; and

11 Whereas, the proposed variation will not
12 alter the essential character of the property; and

13 Whereas, the proposed variation will not be
14 detrimental to the public welfare or injurious to other
15 property or improvements in the neighborhood in which
16 the property is located; and

17 Whereas, the proposed variation will not
18 impair an adequate supply of light and air to adjacent
19 property, or substantially increase the danger of fire,
20 or otherwise endanger the public safety, or
21 substantially diminish or impair property values within
22 the neighborhood; and

23 Whereas moving the sign from its existing
24 location to comply with the 10-foot setback creates --

REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014

9

1 with the 10-foot setback requirement will obstruct the
2 visibility of the sign due to the building next door
3 to the west; and

4 Whereas the existing sign located on the
5 property is a nonconforming sign; and

6 Whereas the St. Charles Zoning Ordinance
7 requires all nonconforming signs to be brought into
8 compliance with the zoning ordinance sign standards by
9 October 16, 2014.

10 Now, therefore, the St. Charles Board of
11 Zoning Appeals grants the variation requested, with the
12 stipulation that is specified in Section 17.42.040.C of
13 the municipal code of the City of St. Charles. This,
14 quote/unquote, "variation" shall lapse after 12 months
15 from the date of granting thereof unless the
16 construction authorized is commenced on a building
17 permit for the use specified by the variation within
18 12 months or the use is commenced within such period.
19 It may not apply, but anyway.

20 Now, therefore, the St. Charles Board of
21 Zoning Appeals grants the variation requested.

22 CHAIRMAN RULLMAN: Is there a second?

23 MEMBER BUENING: I'll second the motion.

24 CHAIRMAN RULLMAN: It's been moved and

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-4-2014**

10

1 seconded.

2 Any further discussion?

3 (No response.)

4 CHAIRMAN RULLMAN: If not,
5 Mr. Secretary, please call the roll.

6 SECRETARY FAKRODDIN: Mr. Buening.

7 MEMBER BUENING: Aye.

8 SECRETARY FAKRODDIN: Mr. Fakroddin,
9 yes.

10 Mr. Holderfield.

11 MEMBER HOLDERFIELD: Yes.

12 SECRETARY FAKRODDIN: Mr. Krawczyk.

13 MEMBER KRAWCZYK: Yes.

14 SECRETARY FAKRODDIN: Mr. Rullman.

15 CHAIRMAN RULLMAN: Yes.

16 SECRETARY FAKRODDIN: Mr. Simpson.

17 MEMBER SIMPSON: Yes.

18 SECRETARY FAKRODDIN: Ms. Weisman.

19 MEMBER WEISMAN: Yes.

20 CHAIRMAN RULLMAN: All right. The
21 motion is carried. The variation is granted. Thank
22 you very much. This will close hearing V-4-2014.

23 PROCEEDINGS CONCLUDED AT 7:12 P.M.

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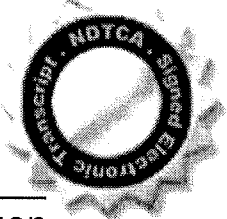
STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, JOANNE E. ELY, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 3rd day of October, 2014.

Joanne E. Ely

Certified Shorthand Reporter
Registered Professional Reporter



My commission expires
May 16, 2016

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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

BEFORE THE ZONING BOARD OF APPEALS
OF THE CITY OF ST. CHARLES

In Re the Matter of:)
)
Variation application) No. V-5-2014
for the property)
located at 2125 West)
Main Street.)

REPORT OF PROCEEDINGS
City of St. Charles Council Chambers
Second Floor
2 East Main Street
St. Charles, Illinois 60174

September 25, 2014
7:12 p.m. to 7:48 p.m.

Reported by: Joanne E. Ely,
CSR, RPR
Notary Public, Kane County, Illinois

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PRESENT:

- MR. ELMER RULLMAN III, Chairman;
- MR. NABI FAKRODDIN, Secretary;
- MR. SCOTT BUENING, Member;
- MR. JAMES HOLDERFIELD, Member;
- MR. ROBERT KRAWCZYK, Member;
- MR. CHARLES SIMPSON, Member; and
- MS. BETTY WEISMAN, Member.

ALSO PRESENT:

- MR. RUSSELL COLBY, Planning Division Manager; and
- MS. ELLEN JOHNSON, Planner.

REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014

3

1 CHAIRMAN RULLMAN: At this time I'll
2 open up the hearing on Variation V-5-2014, filed by
3 Victoria Montejo from Moran Signs and Lighting, Inc.,
4 as representative for Manuel Artega, owner of the
5 property at 2125 West Main Street.

6 Mr. Secretary, please read the application.

7 SECRETARY FAKRODDIN: The application
8 for a variation, File No. V-5-2014 was received on
9 September 5th, 2014, in the office of the St. Charles
10 Planning Division.

11 The applicant, Victoria Montejo, for Moran
12 Signs and Lighting, Incorporated, has listed her home
13 address as 225 James, No. 7, Bensenville, Illinois
14 60106.

15 The applicant has indicated the property
16 owner of record to be Manuel Artega. The owner
17 acquired the property at 2125 West Main Street,
18 St. Charles, Illinois, a restaurant, on May 1st, 2005.

19 The application is signed by the applicant,
20 Victoria Montejo, and the owner, Manuel Artega, and is
21 dated September 5th, 2014.

22 The survey of the property is submitted as
23 originally prepared by Arrow Todd Surveying Company,
24 unknown location. The entire survey is unreadable,

REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014

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1 outdated, and not signed or sealed by a licensed
2 professional land surveyor.

3 Evidence of publication of legal notice is
4 submitted, and it was published in the Kane County
5 Chronicle on September 9th, 2014.

6 The applicant is requesting a variation to
7 reduce the front-yard setback requirement for a sign
8 from 10 feet to 7-foot, 4 inches. The reason for this
9 request is because the existing sign located on the
10 property doesn't meet the front-yard setback
11 requirement and is therefore a nonconforming sign.

12 The zoning ordinance requires all
13 nonconforming signs to be brought into compliance with
14 sign standards by October 16, 2014.

15 The applicant plans to move the existing sign
16 back from its current location to come closer to
17 complying with the 10-foot setback requirement;
18 however, the proposed location of the sign still will
19 not meet this requirement.

20 Therefore, the applicant is requesting this
21 variation to allow the sign to be relocated to its
22 proposed location and remain there after the
23 October 16, 2014, compliance deadline.

24 Mr. Chairman, that is the application.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014**

5

1 CHAIRMAN RULLMAN: Okay. I believe
2 there is also an attached letter authorizing someone
3 else to appear for Manuel Artega.

4 SECRETARY FAKRODDIN: That will be
5 Exhibit A.

6 CHAIRMAN RULLMAN: Exhibit A.

7 SECRETARY FAKRODDIN: Thank you. Should
8 I read it?

9 CHAIRMAN RULLMAN: Yes, please.

10 SECRETARY FAKRODDIN: This letter is
11 written by Manuel Artega.

12 To the city of St. Charles, 2 East Main
13 Street, St. Charles, Illinois 60174, from Manuel
14 Artega, 2125 Main Street, St. Charles, Illinois 60174
15 regarding owner authorization.

16 "To whom it may concern,

17 "Please accept this letter as authorization

18 for Moran Signs & Lighting, Incorporated, Victoria

19 Montejo, to act on my behalf regarding my pylon sign

20 zoning variation for my business, Los Burrito's

21 Mexicanos, property located at 2125 West Main Street in

22 St. Charles, Illinois, on September 25th, 2014, at

23 7:00 p.m. at Zoning Board of Appeals meeting.

24 "If there is any question or concern, I,

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014**

6

1 Manuel Artega, can be reached at the phone number
2 630-235-2352." It's signed by Mr. Artega.

3 CHAIRMAN RULLMAN: Thank you. Is the
4 owner or representative present?

5 Please raise your right hand, and anyone else
6 who wishes to testify.

7 (Witness duly sworn.)

8 CHAIRMAN RULLMAN: Please give your name
9 and address to the recorder.

10 MS. MONTEJO: It's Victoria Montejo,
11 address 225 James Street, Unit 7, Bensenville,
12 Illinois.

13 CHAIRMAN RULLMAN: Come up to the mic,
14 if you will, please, and the floor is yours.

15 MS. MONTEJO: Basically, we have a sign,
16 and it needs to be in compliance. The sign is pretty
17 tall at the moment. So he wants to bring it down as
18 well to 15 feet compliance, and also the reason for the
19 setback to be 7 feet, 4 inches is because we met with
20 Bob Vann, and he had actually marked that location for
21 the proposed sign.

22 We had to mark it and do the drawing and
23 everything, and that was the only location on the
24 property where the sign can be set for his location.

REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014

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1 He doesn't have much of a store frontage for the sign.
2 So that was why the 7 feet, 4 inches was the only
3 location for that sign.

4 CHAIRMAN RULLMAN: Any questions from
5 the Board?

6 MEMBER BUENING: I have a couple
7 questions. I was looking at the signal maps, and it
8 looks like this property is particularly unusual. Just
9 looking at this, there is a higher State taking of the
10 right-of-way here than it is on adjacent properties as
11 well; is that correct?

12 MR. COLBY: That is correct.

13 MEMBER BUENING: On the exhibit that was
14 attached regarding the setback, it shows a 7-foot,
15 4-inch setback that looks like it's measured from the
16 post.

17 Do we want to make it from the post or the
18 edge of the sign?

19 MR. COLBY: If the applicant can
20 clarify.

21 MS. MONTEJO: It was from the post
22 basically.

23 MEMBER BUENING: Okay. So the variance
24 will then be less than 7-foot, 4 inches.

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014**

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1 MS. MONTEJO: Yeah. Give or take an
2 inch or so, yes.

3 MEMBER BUENING: Well, I'm saying the
4 sign you have is 6-foot, 2 inches wide; correct? The
5 main part of the sign is 6 foot, 2 inches.

6 MEMBER HOLDERFIELD: Excuse me. Is it
7 10 feet to the edge of the sign or is it to the post?
8 I didn't hear that.

9 MEMBER BUENING: I believe they measure
10 it from the right-of-right line to the edge of the
11 sign; is that correct?

12 MR. COLBY: That is correct.

13 MEMBER BUENING: Okay. So the exhibit
14 that they show shows 7-foot, 4 inches from presumably
15 the right-of-way line to the center of the sign.

16 MEMBER HOLDERFIELD: Thank you.

17 MEMBER BUENING: So if the sign is
18 actually 6 foot, 2 inches wide, that means the actual
19 variance is 3 -- an additional 3 foot, 1 inch. So
20 you're actually asking for a variance from 10 feet to 4
21 foot, 4 inches -- 3 inches. Does that make sense?

22 MS. MONTEJO: Yes. Thank you.

23 MEMBER WEISMAN: When you say the
24 right-of-way line, you're saying that that's the curb

REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014

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1 or is that the center of the street?

2 MEMBER BUENING: That's the property
3 line, from the property line.

4 MEMBER WEISMAN: Okay.

5 MEMBER BUENING: When the State took the
6 right-of-way, it made it a little bit more offset than
7 it did on the adjacent property. So they are impacted
8 more by the right-of-way taking than the adjacent
9 properties are.

10 MEMBER WEISMAN: Something bothers me
11 about the way this was written. I have to say this,
12 and maybe I'm reading it wrong, but at one time the
13 existing freestanding sign located on the property did
14 meet the front-yard setback requirement and is now a
15 nonconforming sign; right? I mean that's the way --

16 MEMBER BUENING: That's because the
17 State took land from the property to make it
18 nonconforming.

19 MEMBER WEISMAN: Right. When I first
20 read this, I thought, wait a minute. It was just the
21 wording. I had to get that straight in my mind first.
22 Yeah.

23 Okay. I do have a question I guess on all
24 the bushes, all your landscaping. You've got some nice

REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014

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1 wild flowers and things. That has to go?

2 MS. MONTEJO: Yes.

3 MEMBER WEISMAN: That will be gone.

4 MS. MONTEJO: Yep.

5 MEMBER SIMPSON: I just want to be clear
6 on this. You said that Bob Vann from the City had
7 identified that 7-foot, 4-inch setback; is that right?

8 MS. MONTEJO: Yes.

9 MEMBER SIMPSON: And then JULIE came
10 out. There is no other place you can move it? That
11 was what the conclusion was, or was that just the
12 recommendation?

13 MS. MONTEJO: They pretty much said that
14 was because due to the width of the sign, if he had
15 moved it a little bit more, it would pretty much be
16 right at the roof, the sign where it projects down. So
17 for a fire hazard, that was the reason why he made it
18 where it's away from the building, and at the same time
19 it's still not too close to the sidewalk.

20 MEMBER SIMPSON: So a fire hazard was
21 the reason.

22 MS. MONTEJO: Pretty much, yeah. That
23 was the whole -- because he met with the owners, and we
24 went over it, and he explained the reasoning for the

**REPORT OF PROCEEDINGS -- 09/25/2014
PETITION NO. V-5-2014**

11

1 whole -- because the owner basically wanted to know is
2 it even -- was it even -- okay. Was it like useful to
3 even go through a variance or should he just apply for
4 a whole new sign for the building that's close to the
5 pylon sign.

6 He had said no. 90 percent of the time based
7 on his situation, it would have been granted in his
8 favor because of the situation he was in.

9 MEMBER SIMPSON: Thank you.

10 MEMBER HOLDERFIELD: Is the height of
11 the sign in compliance of 15 feet?

12 MS. MONTEJO: It is. It's actually
13 20 feet right now, but it will be 15. He will remove
14 the bottom section of it and bring it down as well.

15 MR. COLBY: Yes. 15 feet is the maximum
16 height that's allowed.

17 MEMBER HOLDERFIELD: The confusion here
18 for me initially was this photograph is not correct in
19 that if -- because I went to the site today. It
20 appears in the photograph that the sign has about 3 or
21 4 feet from the sidewalk. That's not the case at all.

22 I do see where there could be conflict here
23 if the sign is -- the edge of the sign is moved back
24 7 feet, 4, there is going -- the sign will then be in

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1 line with the roof line. You can't miss it. It's
2 going to be right up against it. It's pretty close
3 right now. It will be to the building with the
4 existing configuration with the post and the sign in
5 front.

6 So I just want you to be aware that this
7 photograph I'm looking at is really not what the
8 case is. So I don't know how that occurred, but the
9 sign would really be actually butting up against the
10 edge of the roof. So I'll just put that out there.

11 MEMBER BUENING: I have a question for
12 staff.

13 In looking at the sign the way it is today,
14 and it actually overhangs the public walk partially,
15 what was the State thinking in not taking the sign as
16 part of that? I presume the sidewalk is fully in the
17 right-of-way. You obviously may not know, but, I mean,
18 was there any conversation with the State why they
19 didn't pay for a relocation of the sign or anything?

20 MR. COLBY: No, not that I'm aware of.

21 MEMBER BUENING: Okay. Most of the, you
22 know, time they take a sign, and they pay for the
23 relocation of it; and for whatever reason, it didn't
24 happen.

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1 SECRETARY FAKRODDIN: Didn't the State,
2 one reason, is they take the right-of-way to widen
3 Route 64. They don't worry about any of the signs.
4 That's a municipal responsibility.

5 MEMBER KRAWCZYK: I also have a question
6 on the location.

7 Is there a zoning ordinance or a zoning code
8 requirement how close the sign cannot be from a
9 building, or is this more just --

10 MR. COLBY: There's not a code
11 requirement that I'm aware of.

12 MEMBER KRAWCZYK: So the sign could be
13 moved closer to the building.

14 MR. COLBY: Theoretically, the sign
15 could be placed up against the side of the building.
16 It may not be ideal from a practical standpoint, but I
17 don't think there is anything that would prevent that.

18 MEMBER WEISMAN: I know when I looked at
19 that sign I was thinking, gee, that might be -- you
20 know, with the wind and everything and the weather that
21 we have, that sign might be a little too close to the
22 roof of the building, and then I looked down at the
23 Beach Shack and the way they have their sign.

24 I thought, oh, that was clever. It's off

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1 angle, so it's off, you know, hanging over further
2 toward the street, but the post is where it's supposed
3 to be. I think. I don't know for sure, but I thought
4 that was interesting. That would be one way to get the
5 sign further from the roof, which to me could be a
6 hazard, I think, especially a restaurant with cooking.

7 MEMBER BUENING: I'm assuming the sign
8 will meet all the building codes for wind loading and
9 such; correct?

10 MS. MONTEJO: Uh-huh.

11 SECRETARY FAKRODDIN: Mr. Buening, does
12 that mean that 7-foot, 4 inches from the front to the
13 center of the post minus 3 foot, 1 inch will give you
14 4-foot, 3 inches --

15 MEMBER BUENING: Correct.

16 SECRETARY FAKRODDIN: -- that they have
17 at the present time.

18 MEMBER BUENING: That would be with the
19 variance and having to be instead of 7-foot, 4 --

20 SECRETARY FAKRODDIN: It should be 4
21 foot, 3 inches. Right. I agree.

22 CHAIRMAN RULLMAN: I don't think that's
23 a change we can make.

24 MR. COLBY: No. The variation cannot be

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1 less than what was noticed --

2 CHAIRMAN RULLMAN: Right.

3 MR. COLBY: -- which was the 7 feet,
4 7 feet, 4 inches.

5 MEMBER BUENING: So if we grant them the
6 request, they have to move it yet further closer to the
7 building.

8 MR. COLBY: Yes. Based on what was
9 noticed for the public hearing, it could be no closer
10 than 7 feet, 4 inches from the face of the sign. If it
11 was to be closer to the street, it would have to be
12 noticed up.

13 CHAIRMAN RULLMAN: Yes. Actually, the
14 base, if you look at the 17.28-3 measurement of the
15 sign setback, the required setback for a freestanding
16 sign shall be measured horizontally from the closest
17 point of the sign structure to the property line
18 extended vertically.

19 So our options appear to be to republish. We
20 could do that and save the petitioner some dollars. I
21 believe that's legitimate.

22 MR. COLBY: Yes.

23 CHAIRMAN RULLMAN: Or we could
24 approve -- we could have a motion to move the sign to

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1 the back 7.4, but that wouldn't be -- you would
2 actually have to move back 3 feet, 1 inch.

3 MS. MONTEJO: More basically.

4 CHAIRMAN RULLMAN: Yes. So I guess I'd
5 ask you what you would prefer.

6 MEMBER HOLDERFIELD: There are two
7 options.

8 CHAIRMAN RULLMAN: Right. The two
9 options are we can take this and republish for the
10 increased distance or reduce the setback, if you want
11 to look at that.

12 MS. MONTEJO: Okay. Give me one second.

13 CHAIRMAN RULLMAN: Okay.

14 MEMBER BUENING: On the survey, does the
15 survey reflect the foundation or does it actually
16 reflect the overhang?

17 SECRETARY FAKRODDIN: The survey is very
18 old, 1990. It's not readable.

19 MEMBER BUENING: Right. If it's not
20 reflecting the overhang, the overhang looks like it's
21 probably about a 4-foot overhang.

22 So if you look at the survey with the
23 property line dimensions, it's essentially the wall is
24 about 15 feet from the right-of-way line, the property

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1 line. So if you have another additional 4 feet, that
2 leads to even more.

3 On the survey, there is a dimension of
4 22.4 feet from the front building wall to the side lot.
5 Granted this is a 2005 survey. So this is a pre-Main
6 Street reconstruction. So the sidewalk is probably,
7 you know, along with that new property line, so it's
8 about 15 feet from the front property line to the
9 building. This is a 2005 survey.

10 MEMBER HOLDERFIELD: I'm sorry. I
11 didn't hear that.

12 MEMBER BUENING: That distance is about
13 15 feet. So if you then add -- the overhang is not
14 shown on this, but that's presumably the foundation
15 wall. So you're probably taking another 4 foot from
16 the overhang. So there's only effectively 11 feet
17 there.

18 MEMBER HOLDERFIELD: Mr. Chairman, when
19 you say "republish," what are we saying?

20 CHAIRMAN RULLMAN: We can't grant the
21 variation a greater distance than it was published. We
22 couldn't grant one for less. So with the 15 feet -- we
23 had to count that, and we can't go that way. So with
24 the 7.4, when we measure the sign, it's less than that.

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1 It's 3 foot --

2 MEMBER HOLDERFIELD: So this would have
3 to be resubmitted.

4 CHAIRMAN RULLMAN: Well, there's two
5 options. We could republish it, if you wish, and hear
6 it at the next date; or we could move forward with the
7 motion; but then if we did that, if it was approved,
8 we'd have to bring the sign back an additional 3 1/2
9 feet to meet the 7.4 feet.

10 MEMBER BUENING: If we granted a 7-foot
11 plus the 6 feet, we're at 13 feet, plus an overhang,
12 that would overlap. So I don't think that that's
13 anything that would work.

14 MS. MONTEJO: So I guess we will take
15 the one for the 7-foot, 4, which is from the sign,
16 which will make it closer to the building is what
17 you're pretty much saying?

18 CHAIRMAN RULLMAN: You would like to
19 move forward with the variation at 7.4?

20 MS. MONTEJO: Well, yes, at this moment,
21 I guess because I mean if he goes into -- just to have
22 a new rendering and that just creates a new number,
23 which I mean all the work is pretty much there. It's
24 just not written here correctly.

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1 CHAIRMAN RULLMAN: Right.

2 MS. MONTEJO: He would have to have the
3 sign removed, period, by October 16th.

4 MR. COLBY: I can clarify something.
5 The City is allowing property owners to request an
6 extension of eight months to bring the sign into
7 compliance.

8 MS. MONTEJO: Right.

9 MR. COLBY: So the property owner simply
10 fills out the form with the building enforcement
11 division saying that there's a variation that's pending
12 and you won't be able to bring the sign into compliance
13 by the deadline, and an extension will be granted until
14 next June.

15 MEMBER KRAWCZYK: Could I make a comment
16 to the petitioner?

17 Is it possible to rotate the sign so it's
18 parallel with the street as an alternative? It's the
19 same location that you're suggesting now, but rotate
20 the sign, so it faces the street. Is that something
21 the owner will consider?

22 MS. MONTEJO: I just know and I believe,
23 he wants to have it how it is, but he has already taken
24 off a huge portion of the bottom section of the sign,

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1 and he's also bringing it down at this point.

2 And then facing the street because it's
3 something that's pretty much flat, it won't be much of
4 a use for him unless somebody is on the opposite side
5 of the street to see the name of his business. He
6 doesn't have any other sign other than this sign on his
7 property basically.

8 The reason the 7 feet, 4 came into play was
9 because, like I said, Bob Vann was there, and he said
10 this was the location where the 7 feet, 4 was, and he
11 went basically with his dimensions at that moment
12 basically for that.

13 So if it's something where we knew we had to
14 measure from the edge of the sign, we would have put
15 that in there, but we didn't know. We just figured
16 that that's St. Charles procedure. It was from the
17 middle of the pole to whatever it was. Because every
18 municipality, I would say, has a different way of
19 measuring a sign. So that's why we went based on that.

20 If that was something we knew of, I would
21 have definitely put it there, but I didn't know that.
22 We just put it 7 feet, 4 because Bob Vann went outside
23 to measure it, and that was the number we got, and
24 that's the marking we had there.

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1 So that's why we basically highlighted
2 7 feet, 4 because that's what we thought and was what
3 we took into consideration.

4 CHAIRMAN RULLMAN: I understand the
5 predicament that is here. The ordinance is clearly
6 published and is easily ascertainable online and print,
7 and so it would be easy to determine how the sign was
8 actually measured.

9 But, again, we will do -- we will proceed as
10 you wish. If you ask to republish, we can do that and
11 table it here. I believe we can do that.

12 MR. COLBY: Yes. And if you would like
13 to go back to the owner and determine what he would
14 like to do, that's fine. I think the Board can table
15 the item. As I said, that October 16th deadline should
16 not be an issue for the owner because we have a pending
17 variation application.

18 MS. MONTEJO: Okay.

19 MEMBER BUENING: If I may, I think
20 looking at the dimensions, I don't think you have any
21 other choice than to republish because, you know,
22 looking at the plat, it's about 15 feet from the front
23 property line to the building. If you subtract out 7.4
24 or 7 foot, 4 inches, that's half of that distance. If

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1 you have yet another 6 foot, 2 inches for the width of
2 the sign, and you add another 3 foot for the overhang,
3 you're overlapping. I don't think you could do it. So
4 I think we have to republish.

5 MS. MONTEJO: If it is republished, then
6 I'm guessing now it's going to be closer to the curb at
7 this moment.

8 CHAIRMAN RULLMAN: No. Republish just
9 means -- what that means is we -- the request for
10 variation was published in the paper that it was
11 7 feet, 4 inches --

12 MS. MONTEJO: From the pole, basically.

13 CHAIRMAN RULLMAN: Whatever that number
14 is 3 foot, 4 -- 3 foot, 5, whatever that number, we'd
15 have to republish that because we can't grant the
16 variation greater than what was published, which is the
17 way we'd have to have it, the way the photo is here
18 essentially.

19 So, as Mr. Colby has indicated, the 16th is
20 something that you can request to have that put off.
21 If we table it, the hearing stays open, and you just
22 come back with the republish and go on from there.

23 MS. MONTEJO: Okay. So to republish,
24 it's basically to say that it's from the curb but

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1 i t ' s --

2 CHAIRMAN RULLMAN: To whatever the
3 number -- from whatever the number is. We will let you
4 calculate that. Approximately, it will probably be
5 something like that. So if you have -- it's to the
6 center of the pole right now. It's 7 foot, 4 to the
7 center of the pole. The pole is, what, 12 inches. So
8 that's half a foot. So 3 -- so it's about 3 feet,
9 8 inches or so.

10 SECRETARY FAKRODDIN: The sign is 6
11 foot, 2 inches wide. To the center it will be 3 foot,
12 1 inch. You remove from the 7 foot, 4 inches -- remove
13 3 foot 1, you actually should be asking for 4 foot, 3
14 inches.

15 MS. MONTEJO: Okay.

16 SECRETARY FAKRODDIN: If the numbers are
17 correct and that's right.

18 CHAIRMAN RULLMAN: Well, do the numbers.

19 MEMBER BUENING: Don't trust our math.

20 CHAIRMAN RULLMAN: Don't trust our math.

21 SECRETARY FAKRODDIN: Check back again,
22 and, you know, if you come close to 4 foot, 3 inches,
23 publish that. I mean you have to notify the people
24 that we are not asking for a variation of 7 foot, 4, we

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1 are asking for a variation for 4 foot, 3; right?

2 CHAIRMAN RULLMAN: Yes.

3 SECRETARY FAKRODDIN: Something like
4 that.

5 MEMBER BUENING: The sign won't move
6 based on where you're locating it. It's just how it's
7 measured.

8 MS. MONTEJO: Yeah. I get that. It's
9 just, like I said, we based it on the fact that a
10 representative from St. Charles came on the property to
11 do this, and we did it based on that.

12 If he had say, Hey, you need to have it from
13 the edge of your sign going forward; but when he came,
14 he measured from the pole -- to the pole, and he was on
15 site, and he measured everything, and he saw what it is.

16 The owner here wanted to know is it something
17 that was -- is this going to be a waste of time to do,
18 or should I just remove the sign completely and apply
19 for a regular sign for my building and go from there
20 because he didn't want to waste -- so we did it based
21 on what they had requested, and now based on that, what
22 we did, it's something where you're saying now go back
23 because you missed a number because --

24 MEMBER BUENING: I mean the only thing

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1 you're doing is publishing a notice to have the new
2 number.

3 MS. MONTEJO: Yeah, I know.

4 MEMBER BUENING: It's delaying it a
5 little bit but --

6 MS. MONTEJO: It is delaying it, but
7 it's also wintertime. So it's something where it does
8 delay it a lot more for us, but then again if the
9 concrete has to be poured in the winter, it's not going
10 to set properly. So that was the whole purpose of the
11 25th meeting.

12 The concrete has to be poured. The hole has
13 to be dug. It has to be set. Everything has to be in
14 place or else it doesn't comply with it, and eight
15 months is -- the winter is not -- concrete doesn't set
16 in the winter. That was the whole purpose of having it
17 for this meeting so it could be done faster.

18 CHAIRMAN RULLMAN: Well, we'll proceed
19 as you wish. If we do proceed and the motion were
20 granted, though, the edge of the sign has to be 7 feet,
21 4 inches from the property line, not the pole. So if
22 you understand that, then we'll be glad to proceed in
23 that direction.

24 I just offer that the tabling and

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1 republishing would allow you to hopefully do exactly
2 what you have there pictured.

3 MR. COLBY: And to clarify, the
4 extension that can be granted is eight months, and that
5 goes out to June 16th of 2015.

6 MEMBER BUENING: So weather isn't an
7 issue if you ask for an extension to this.

8 MR. COLBY: Yes. As long as the sign is
9 in compliance with either the current zoning
10 requirements or with the variation as granted by June.

11 MS. MONTEJO: That would require him
12 going to pick up an application. It's not like tonight
13 I can say that, and then he gets that; right?

14 MR. COLBY: It's a form.

15 MS. MONTEJO: So that's my issue. The
16 fact is it's something where he has to physically go
17 back and forth either way to get something, over a
18 number that we --

19 MR. COLBY: It's a document that we
20 could send.

21 MS. MONTEJO: -- did based on
22 St. Charles' request.

23 MR. COLBY: It's a document we could
24 mail to him, or we could fax it to him, and he could

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1 just send it back to us.

2 MS. MONTEJO: Is there a fee associated
3 with that?

4 MR. COLBY: No, there is not. There's
5 not. It's simply a request for an extension.

6 MEMBER BUENING: It seems that that
7 would make the most sense if you're concerned about the
8 concrete curing that you just wait. We can approve.
9 Go ahead and republish so that you have the variance
10 resolved, apply for your building permit. I'm not sure
11 how long the building permit would take, but apply for
12 that and then wait until spring until the weather
13 breaks and build it in the spring. The City sounds
14 like they would be willing to give you that time to
15 comply.

16 MS. MONTEJO: Okay. So just to clarify,
17 it's from the edge of the sign to the sidewalk.

18 MEMBER BUENING: To the property line.

19 MS. MONTEJO: To the property line
20 basically.

21 MEMBER BUENING: Yes.

22 MS. MONTEJO: To the existing property
23 line at this moment.

24 MEMBER BUENING: The property line

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1 exists at the time you ask for the permit.

2 MS. MONTEJO: Okay.

3 MEMBER BUENING: If the State comes back
4 and takes another 10 feet away from you, that's the new
5 property line. I doubt that they'll do that, but
6 that's how we make sure.

7 MS. MONTEJO: Okay. And when do I have
8 to submit these documents?

9 SECRETARY FAKRODDIN: Actually to the
10 right-of-way line.

11 MEMBER BUENING: Right-of-way line of
12 the property.

13 SECRETARY FAKRODDIN: Right-of-way line
14 from Route 64. Wherever they have taken your land,
15 that's your property line from there on. So you've got
16 to figure out where exactly the State's right-of-way
17 line is on Route 64.

18 You just mentioned something about the
19 existing property line. Is it an existing today, or
20 was it existing two years ago?

21 MS. MONTEJO: It's whatever is right
22 there is what we're working on at this moment. I just
23 didn't want to get through it, and then they come back
24 and say, oh, no, you can't do it from there, and then

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1 we need to extend it again and again. That's my
2 concern at this moment just to make sure it's clarified
3 where do I measure from because we went based on
4 St. Charles, and we got the wrong information.

5 MEMBER BUENING: The St. Charles
6 inspectors are not surveyors. So, I mean, they may
7 have, you know, shown you where the line might be, but
8 they're not surveyors. So if you want to make the most
9 accurate determination, update the survey, get a
10 surveyor's stake, and then you'll get the property line
11 properly. That's the way you should do it.

12 MS. MONTEJO: Okay. So when do I have
13 to submit documents by?

14 MEMBER BUENING: Resubmit which
15 documents?

16 MS. MONTEJO: Because I have to -- we
17 have to apply again, don't I, for this?

18 MEMBER BUENING: It's just a notice.

19 CHAIRMAN RULLMAN: If we table this, the
20 hearing goes on, and you don't have to reapply for the
21 variation; right? We always have to -- it has to be
22 published in the paper, and then we can continue the
23 hearing at a later date with the new dimension.

24 MS. MONTEJO: Okay.

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1 CHAIRMAN RULLMAN: The new restriction.
2 So if we go forward, no matter how it came
3 out, if you want to submit anything, you'd have to
4 reapply.

5 MS. MONTEJO: Okay. So when do I have
6 to submit the new drawings is my point for the next
7 hearing then?

8 CHAIRMAN RULLMAN: Well, we have to
9 republish. What is the republish date?

10 MR. COLBY: Yes. The publishing
11 requirements are at least 15 days prior to the hearing.

12 CHAIRMAN RULLMAN: Okay. So that
13 would be --

14 MR. COLBY: We come back in a couple
15 weeks. If you can get us something next week, refile
16 the application form, and we will send out new notices
17 based on that revision to the application.

18 MS. MONTEJO: Okay.

19 CHAIRMAN RULLMAN: Is that what you'd
20 like to do then?

21 MS. MONTEJO: Yes, basically. Because
22 he wants his existing sign, and I don't want to put the
23 number there that he can't have. If it was already too
24 close to the building, I don't want to take the risk of

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1 putting it too close, and then he ends up getting a
2 smaller sign, and then he ends up basically wasting
3 time by going by and actually --

4 CHAIRMAN RULLMAN: What's the date of
5 the next meeting?

6 MR. COLBY: It is October 23rd.

7 CHAIRMAN RULLMAN: All right. Then
8 we'll table this variation hearing until October 23rd
9 at 7:00 p.m.

10 MS. MONTEJO: Okay.

11 CHAIRMAN RULLMAN: Probably right here.

12 MS. MONTEJO: Okay. So just resubmit
13 the drawings --

14 CHAIRMAN RULLMAN: Get the correct
15 dimension. We just have to publish in the paper what
16 the variation request is, whatever it is, figure out
17 what that number is, and then we can go forward.

18 MS. MONTEJO: Okay.

19 CHAIRMAN RULLMAN: All right. Let me
20 remind the members since this is tabled, we cannot have
21 any discussions among ourselves on this motion at any
22 time until the next hearing because it's a tabled
23 hearing.

24 All right. So move on to additional

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1 business.

2 MR. COLBY: I have an item to bring up.

3 CHAIRMAN RULLMAN: Okay. We have
4 attached to our packets a modified form.

5 MR. COLBY: Yes. What I'm trying to do
6 is make all of the Board's documents uniform so that
7 they follow the zoning ordinance as it's written in
8 terms of the findings that are used in making a
9 decision on a variation.

10 So I revised the Form of Motions so that it
11 matches the zoning ordinance, and then I'm also
12 proposing to revise the variation application itself so
13 it matches those findings also.

14 There was some additional information that
15 exists in our current form that we could still include
16 in the application if we felt there was some value to
17 that additional information, but having the actual
18 findings in the application form should assist the
19 Board in making findings and recommendations on the
20 applications.

21 MEMBER BUENING: Thank you for that. I
22 think a new Form For Motions will make it much more
23 user friendly. So I appreciate those changes.

24 CHAIRMAN RULLMAN: Do we need to do

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1 anything other than know that it's there?

2 MR. COLBY: We don't. I wanted to make
3 the Board aware of that before we went ahead and
4 started using the new form. If you have any comments
5 or suggestions about elements of the old form that you
6 would like included, we could put those in that
7 application as well.

8 They're not necessary though. I think this
9 is the minimum amount of information that we need
10 because it addresses all of the findings.

11 MR. BUENING: I would suggest on the
12 application form that it have an e-mail address just
13 in case.

14 MR. COLBY: That's a good suggestion.
15 Thank you.

16 CHAIRMAN RULLMAN: All right. Anything
17 else?

18 (No response.)

19 CHAIRMAN RULLMAN: If not, motion to
20 adjourn.

21 SECRETARY FAKRODDIN: So moved,
22 Mr. Chairman.

23 MEMBER HOLDERFIELD: Second.

24 CHAIRMAN RULLMAN: All in favor.

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(Ayes heard.)
CHAIRMAN RULLMAN: Opposed.
(No response.)
CHAIRMAN RULLMAN: Thank you very much.
PROCEEDINGS CONCLUDED AT 7:48 P.M.

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STATE OF ILLINOIS)
) SS.
COUNTY OF K A N E)

I, JOANNE E. ELY, Certified Shorthand Reporter No. 84-4169, CSR, RPR, and a Notary Public in and for the County of Kane, State of Illinois, do hereby certify that I reported in shorthand the proceedings had in the above-entitled matter and that the foregoing is a true, correct, and complete transcript of my shorthand notes so taken as aforesaid.

IN TESTIMONY WHEREOF I have hereunto set my hand and affixed my Notarial Seal this 3rd day of October, 2014.

Joanne E. Ely

Certified Shorthand Reporter
Registered Professional Reporter



My commission expires
May 16, 2016