

**VILLAGE OF CHERRY VALLEY  
PLANNING AND ZONING MINUTES  
WEDNESDAY APRIL 20, 2016**

**CHAIRMAN**            JOHN TOTTEN

**MEMBERS**            KEVIN COYNE                            PAT STEGEMANN  
                             JOHN FALZONE                           JIM SMETANA  
                             LARRY GRAY                             GARY TIFFANY

Chairman John Totten called the Planning and Zoning meeting to order at 6:32 PM. A Roll Call was taken:

JOHN TOTTEN	PRESENT	PAT STEGEMANN	PRESENT
KEVIN COYNE	PRESENT	JIM SMETANA	PRESENT
JOHN FALZONE	PRESENT	GARY TIFFANY	PRESENT
LARRY GRAY	PRESENT		

Others present: Attorney Jim Stevens, Trustee Jeff Fustin and Village President Jim E. Claeysen.

**ADOPT THE AGENDA:** Chairman Totten entertained a motion to adopt the agenda. Gary Tiffany so moved to adopt the agenda. Kevin Coyne seconded. Motion carried.

**APPROVE THE MINUTES:** Chairman Totten entertained a motion to approve the minutes from March 16, 2016. Jim Smetana so moved to approve the minutes. Gary Tiffany seconded. Motion carried.

**EX-OFFICIO'S REPORT:** Trustee Appell was absent. President Jim E. Claeysen stepped in and reported that the Zoning Map Amendments have been approved by the board with separate ordinances for 755 East State Street, 811 East State Street, and 202 Genoa Street. The Zoning Map has been updated with WinGis, and The Village Board passed and approved the Comprehensive Plan.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

1. A request for a variance under Section 82-7 (f) (2) of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow the construction of a six foot (6') high privacy fence constructed 28'5" in length along the southern lot line from the southwest corner of the rear of the house and northerly to the south side of the house for property commonly known as 133 South Lawrence Street, Cherry Valley, Illinois, and legally described as follows: (PIN - 16-01-257-012). Discussion. Home owner Brianna explained that her family would like to have this fence to keep their dogs in there yard as well as for privacy. Tom Schulenburg at 134 South Lawrence Street spoke in favor of the Crabtree's

Fence. Tom Schulenburg stated that he is not opposed to the fence staying up, that it is a very nice fence and he isn't able to hear the Crabtree's Dogs. Mary Knighton at 138 South Lawrence Street also spoke in favor of the Crabtree's fence, stating that she is not opposed to the fence, because it is both nice looking and helps keep the dogs contained.

Village Attorney, Jim Stevens, read the Findings of Facts, A - F to the Committee 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;
- 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;
- c. The purpose of the variation is not based exclusively upon a desire to increase the value or income potential of the property;
- 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;
- 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
- f. The proposed variance complies with the spirit and intent of restrictions imposed by this chapter.

The committee reviewed each Finding and concluded that the application met each Finding.

**MOTION:** Kevin Coyne moved to grant a variance at 133 South Lawrence Street, Cherry Valley Illinois, to allow the fence to be 28 feet and 5 inches (28'5") eastward of the southwest corner of the house. Jim Smetana seconded.

A Roll Call Vote was taken:

JOHN TOTTEN	AYE	PAT STEGEMANN	AYE
KEVIN COYNE	AYE	JIM SMETANA	AYE
JOHN FALZONE	NAY	GARY TIFFANY	AYE
LARRY GRAY	AYE		

Motion passes by a vote of six "AYE"; one "NAY".

**ADJOURNMENT:** Seeing there is no further business, Chairman Totten entertained a motion to adjourn at 7:58 PM. Pat Stegemann so moved to adjourn. Gary Tiffany seconded. Motion carried by voice vote.

Recorded by Heather M. Church

Minutes approved by Chairman John Totten on 04-28-2016

**AGENDA  
VILLAGE OF CHERRY VALLEY, IL  
PLANNING AND ZONING COMMISSION MEETING  
WEDNESDAY APRIL 20, 2016  
6:30PM**

**CHAIRMAN:** JOHN TOTTEN

**MEMBERS:** KEVIN COYNE                      PAT STEGEMANN  
                  JOHN FALZONE                    JIM SMETANA  
                  LARRY GRAY                            GARY TIFFANY

(Committee Members: Please sign ATTENDANCE SHEET)

**CALL MEETING TO ORDER:**

**ROLL CALL:**

**APPROVAL OF THE AGENDA:**

**APPROVE THE MINUTES:** March 16, 2016.

**EX-OFFICIO REPORT:** STEPHEN APPELL.

**UNFINISHED BUSINESS:**

**NEW BUSINESS:**

1. A request for a variance to Section 82-7(f) (2) of the Code of Ordinances for the Village of Cherry Valley, Illinois, to allow the construction of a six foot (6') high privacy fence constructed 28'5" in length along the southern lot line from the southwest corner of the rear of the house and northerly to the south side of the house for property commonly known as 133 South Lawrence Street, Cherry Valley, Illinois, and legally described as follows:

PIN - 16-01-257-012

**ADJOURNMENT:**

JT (04-04-16)