

# VILLAGE OF NORTH UTICA

801 South Clark Street

North Utica, IL 61373

Meeting of the Planning Commission

August 12, 2015 at 6:00 p.m.

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## AGENDA

- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. Public Hearing - 6:00 pm:
  - 1.) Petition of William Mix, Joyce Mix and Tracy Mix for consideration of Re-zoning property located at 123 Johns St., Utica, IL from R-1 to C-1
- V. Discussion and Possible Recommendation regarding Petition for re-zoning of property located at 123 Johns St., Utica, IL from R-1 to C-1
- VI. Consideration of Approval of Minutes from 7-02-15
- VII. Public Comment
- VIII. Old / New Business
- IX. Adjournment

**Posted 8-7-15**

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## **MINUTES**

At 6:08 pm the Planning Commission Meeting was called to Order by Chairman Tom Guttilla who then led the Pledge of Allegiance. Present at the meeting was Village Clerk Laurie Gbur and Planning Commission Members Bill Fry, Warren Munson and Matt Cetwinski. Attorney Herb Klein also attended the meeting. Members Doug Gift, Dennis Hamilton and Roy Chapman were absent from the meeting.

At 6:10 pm Attorney Klein presented a summary of the filing and publishing of the Petition.

Mr. Tracy Mix was sworn in to provide his testimony. He stated that he would like to rezone his property located at 123 Johns St., Utica so that he can construct a building in the area between the existing home and the current business. He will have to raise the home in the area as a result of previous flood damage so he would like to construct something in its' place to be utilized as additional storage for his business, Mix's Trading Post. He would be taking down the garage which is currently next to the house. The C1 zoning would allow for the setbacks he needs to construct the new structure. He would build high enough to make sure he's out of the flood plain and would consider renting the house after it is raised.

Member Fry stated that he Mr. Mix had a legitimate request due to the need to move everything when flooding is projected.

Attorney Klein reminded everyone that if the home is rezoned C1, a residential use on the main floor is not allowed.

Chairman Guttilla asked what the size is of the current home. Engineer Kevin Heitz answered approx. 1,000 sq. ft.

Engineer Heitz then stated that Mix's Trading Post is zoned C2. Other properties along the highway are zoned C2. There are also lots near Mix's that are zoned C1. Traditionally the downtown area is zoned C1 but the lots near Mr. Mix's property were going to be developed with many different buildings that were each connected so that property was also zoned C1 at the time.

Chairman Guttilla asked Attorney Klein if Mr. Mix would need a Variance to be able to build on the lot lines. Attorney Klein answered yes; the property would require C1 zoning and a Variance to build across lot lines. The zoning would not allow for a residence. Mr. Mix agreed.

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Member Munson asked about the residential home that is across the street and how those residents feel about a raised commercial structure. Mr. Mix stated that he spoke to his neighbors across the street and he will build something that and looks nice and fits in with what's already there. He would also build a deck and fix the parking lot to increase the amount of parking in the area. There was no one at the meeting that spoke in opposition of the Petition.

Attorney Klein then summarized the list of qualifications the property would need to meet without creating a nuisance in the community.

Member Munson then asked about the materials and size of the new building. Mr. Mix stated that the building would be a Morton style building and consist of two levels to be raised out of the flood plain. He needs to elevate the building and hopes to have the height the same as the Trading Post. He would include a wrap-around style deck.

With no additional testimony, the Public Hearing was closed at 6:40 pm. Motion made by Member Munson, seconded by Member Fry.

All in Favor

Motion Carried

It was then motioned by Member Munson, seconded by Member Fry to recommend approval of the rezoning of property located at 123 Johns St. from R1 to C1 subject to the approval of the design by the Village Zoning Enforcement Officer.

3 Yes (Munson, Fry, Cetwinski)

All in Favor

It was then motioned by Member Fry, seconded by Member Cetwinski to recommend approval of a Variance to property located at 123 Johns St. to allow building across the lot lines.

3 Yes (Munson, Fry, Cetwinski)

All in Favor

Minutes: It was motioned by Member Munson, seconded by Member Cetwinski to approve Minutes from the 7-2-15 meeting.

All in Favor

Motion Carried

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Public Comment: NONE

With no additional business, it was motioned by Member Fry, seconded by Member Munson to adjourn the meeting at 6:50 pm.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk