

**VILLAGE OF NORTH UTICA**  
**248 W. Canal St, North Utica, IL 61373**  
**Planning Commission Meeting**  
**January 9, 2024**  
[www.utica-il.gov](http://www.utica-il.gov)

**AGENDA**

- I. **5:30 p.m.** - Call to Order
- II. Pledge of Allegiance
- III. Roll Call
- IV. **5:30 - Public Hearing:**
  1. For the purpose of considering and hearing Public Comment and Testimony regarding the Petition of Warren and Wendy Munson, as Contract Purchasers of property owned by Thomas Burgess, and located at the Southeast corner of Vine St. and East Grove St., Utica IL 61373;
    - I. It is proposed that the Petitioners be granted the following:
      - A. The subdivision of certain property located at the Southeast corner of Vine St. and East Grove St., Utica, IL 61373;
      - B. An amendment to the Village of North Utica Zoning Ordinance to allow as a Special Use, an accessory structure on a lot that is not adjoining a principal use and structure;
      - C. A Special Use to construct an Accessory structure on such property;
      - D. Variances to allow a front lot setback of not less than ten (10) feet, a fourteen (14) foot height for a garage door, and to allow the accessory structure to exceed 40% of the lot grand coverage area;
      - E. Such other relief that is necessary to allow the Petitioners' the subdivision of land and to allow the accessory structure for their intended use of the property
  2. Discussion and Possible Recommendations of the Planning Commission regarding such Hearing.
- V. Consideration and Possible Action on Planning Commission Meeting Minutes: 10-26-2023
- VI. Old / New Business
- VII. Public Comment
- VIII. Adjournment

**POSTED 01-05-2024**

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**MINUTES**

At 5:30 pm the meeting of the Planning Commission was called to Order by Village Clerk Laurie Gbur who then led the Pledge of Allegiance. Village Clerk Gbur recorded the meeting attendance. Present at the meeting were Planning Commission Chairman Tom Guttilla and Members Bill Zens, Mike Brown, Mark MacKay and Doug Gift. Also present were Village Attorney Herb Klein and Village Engineer Kevin Heitz. Public Works Director Curt Spayer. and Andy Skoog were absent from the meeting. Planning Commission Member Warren Munson recused himself from the meeting in order to provide his Testimony at the Public Hearing regarding his Petition.

Village Attorney: Attorney Klein provided a brief summary of the Petition of Warren and Wendy Munson of Warren and Wendy Munson, as Contract Purchasers of property owned by Thomas Burgess, and located at the Southeast corner of Vine St. and East Grove St., Utica IL 61373; The property is Zoned R-2, Two Family Residential District. Attorney Klein stated that Warren and Wendy Munson were planning to purchase a portion of property from Tom Burgess, owner of the Burgess Funeral Home. The proposed property is located adjacent to Vine St. and Grove St. and is across the street from the Munson's home. The Petitioners are seeking approval of the subdivision of the property, an amendment to the Village of North Utica Zoning Ordinance to allow as a Special Use, an accessory structure on a lot that is not adjoining a principal use and structure, as well as Variances as follows:

Setbacks =	Facing Grove St. 20'
	Facing Vine St. 10'
	Facing South 2 ½'
	Facing East 20'
Garage doors	Two at 14' each
Size of Structure	To exceed more than 40% of the lot

Village Exhibit #1 -	Legal Notice of Public Hearing published on December 21, 2023
Petitioner's Exhibit #1 -	All Filed Documents containing Variance Application, Special Use Application and all associated documents and drawings

Attorney Klein explained that the Villages' current Ordinance provides for accessory structures to be located on the same or adjoining lot of a principal residence. In the case of the proposed accessory structure, it would be located on a parcel of property across the street from Mr. Munson's principal residence; Vine Street separates the two properties.

Mr. Munson was sworn in to provide Testimony.

Mr. Munson stated that he will be selling his automotive repair business and he will need storage for some of his personal vehicles, therefore he would like to have a large building constructed on a portion of property that he will be purchasing from Mr. Tom Burgess; This portion of property being located behind the Burgess Funeral Home. The newly constructed building would provide for storage for Mr. Munson's vehicles as well as a small work shop. The building would be designed with two (2) taller garage doors for the future storage of a camper or a boat. The upstairs area would not be finished right away, but in the future could serve as a residential rental unit. The property is zoned R-2

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Mr. Munson also stated that he had spoken with his neighbors and they have no conflict with the project or the location of the building.

Chairman Guttilla asked what the property is zoned.

Engineer Heitz answered, "R-2 zoning".

Chairman Guttilla asked if the property is in the flood plain and if the building would need to be raised up. Engineer Heitz stated that the property is in the flood plain and the Village will work with Mr. Munson on the requirements for building in a flood plain.

Mr. Munson stated that he plans to do some leveling of the property and he does not intend to have the building constructed lower than the elevation of Grove St.

Chairman Guttilla asked about the exterior finishes of the building.

Mr. Munson answered that he is designing the building to fit into the neighborhood; it will be very pleasant looking.

Chairman Guttilla asked the Planning Commission Members if there were any additional questions; There were none.

Attorney Klein asked Mr. Munson about the proposed setbacks.

Mr. Munson stated that the setbacks would be as follows:

Setbacks =	Facing Grove St.	20'
	Facing Vine St.	10'
	Facing South	2 ½'
	Facing East	20'

Mr. Munson also shared information about the garage doors. He is proposing two (2) garage doors that will be 14' each.

Chairman Guttilla asked if the garage doors will both be on the west side of the building facing Vine St.

Mr. Munson answered, "There will be one (1) garage door facing Vine St. and two (2) garage doors, each 14' tall, facing Grove St. and there will also be one (1) standard garage door facing south.

Attorney Klein summarized the items that Mr. Munson is seeking from his Petition.

- The re-subdividing of the property
- A Special Use for the construction of the accessory structure
- Setbacks as follows:
  - Facing Grove St. 20'
  - Facing Vine St. 10'
  - Facing South 2 ½'
  - Facing East 20'
- Two (2) garage doors, each 14' tall
- Size of Structure = To exceed more than 40% of the lot

Mr. Munson agreed with the summary.

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At 6:03 pm, the Public Hearing was closed; Motioned by Member Brown, seconded by Member Zens.  
All in Favor  
Motion Carried

Attorney Klein then presented the Findings of Fact to be considered by the Planning Commission, as follows:

1. Is necessary or desirable to provide a service which is in the interest of public convenience.
2. Will cause no additional threat to public health, safety, or welfare or creation of a nuisance.
3. Will cause no additional public expense for flood protection, fire rescue or relief operations, policing, or repairs to roads, utilities, or other public facilities.
4. Will not unduly increase traffic congestion on public roads and highways.
5. Will not alter the essential character of the property or neighborhood in question.
6. Meets other requirements of this title, such as parking and landscaping.
7. Is consistent with the purpose and intent of the comprehensive plan.

It was motioned by Member Brown, seconded by Member MacKay to recommend approval of the re-subdividing of the property located adjacent to Vine St. and Grove St, Utica, IL 61373.

4 Yes  
Motion Carried

It was then motioned by Member Gift, seconded by Member Zens to recommend approval of the amendment of the Village of North Utica Zoning Ordinance to allow an accessory structure on property without a principal residence and divided by a public R.O.W. (right of way) as a Special Use in the R-2 Zoning District.

4 Yes  
Motion Carried

It was then motioned by Member Zens, seconded by Member Brown to recommend approval of granting a Special Use for property located adjacent to Vine St. and Grove St., Utica, IL 61373, and without a principal residence and divided by a public R.O.W. (right of way).

4 Yes  
Motion Carried

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It was then motioned by Member Brown, seconded by Member MacKay to recommend approval of granting Variances for property located adjacent to Vine St. and Grove St., Utica, IL 61373, as follows:

- Setbacks as follows:
  - Facing Grove St. 20'
  - Facing Vine St. 10'
  - Facing South 2 ½'
  - Facing East 20'
- Two (2) garage doors, each 14' tall
- Size of Structure = To exceed more than 40% of the lot

4 Yes

Motion Carried

At 6:13 pm, with the Public Hearing finished, Mr. Munson then joined the Planning Commission meeting.

Minutes: It was motioned by Member MacKay, seconded by Member Brown to approve the minutes from the meeting held on 10-26-23 as presented.

5 Yes

Motion Carried

Old Business / New Business: NONE

Public Comment: NONE

With no additional business, the meeting was adjourned at 6:18 pm; Motioned by Member Zens, seconded by Member MacKay.

All in Favor

Motion Carried

Respectfully submitted,

Laurie A. Gbur  
Village Clerk