



To: Plan Commission

From: Ron Mentzer, Interim Community and Economic Development Director
Zoe Gate, Administrative Clerk

Date: June 13, 2024

Re: Amitoj Singh Mehta Bollard Variance

Project Details

Project	Amitoj Singh Mehta Bollard Variance
Request	Variance
Location	2378 Plainfield Road

Site Details

Lot Size:	.24 acres
Existing Zoning	B-2

Land Use Summary

Subject Parcel	Land Use	Comp Plan	Zoning
Subject Parcel	Dental Office	Local Commercial	B2
North	Credit Union	Local Commercial	B2
South	Former Retail	Local Commercial	B3
East	Retail	Local Commercial	B2
West	Strip Mall	Local Commercial	B2

Attachments

Supporting Documents prepared by Applicant

Project Summary

Amitoj Singh Mehta (the “Applicant”) is seeking approval of a zoning variance that would allow 22 six-inch diameter bollards to be installed along the property line bordering Caton Farm Road at locations that do not meet the minimum 5’ required setback along said property line. As proposed, the bollards would be placed three feet from the existing building and four foot six inches from each other. This proposed placement would put the bollards 1.1’ from the property line at the farthest, and .7’ from the property line at the closest.

Analysis

In consideration of the request, the points of discussion and details are as follows:

- Interim Community and Economic Development Director Mentzer, Building Commissioner Seeman, and Administrative Clerk Gates determined these bollards qualify as a fence based on the Zoning Ordinance definition of a fence.
- 2378 Plainfield Road is a corner lot and as such the property line along Caton Farm Road should be viewed as the corner side lot line. Zoning Ordinance 8.3-9.1 Fences, Walls, and Hedges b. Regulations for non-residential zoned property i. states “Fences located in front or corner side yard of a non-residential lot must maintain a minimum setback of five (5) feet...” The building sits 4.1’ at one corner and 3.7’ at the other from the property line, making it impossible for the bollards to meet the 5’ minimum distance from the property line.
- Illinois Department of Transportation “clear zone” requirements regulate the areas outside but adjacent to road pavement where permanent items are not to be installed. City Engineer Weideman has determined that the clear zone for this section of Caton Farm Road is ten (10) feet. As currently proposed, the Applicant’s proposed bollard installation plan shows that all proposed bollards would be located outside of this ten-foot clear zone.

Section 12.6-2 of the Zoning Ordinance states the Plan Commission shall recommend, and the City Council shall grant a variation only when it shall have been determined, and recorded in writing, that all of the following standards are complied with:

- 1. That the property in question cannot yield a reasonable return if permitted to be*

- used only under the conditions allowed by the regulations in that zone;*
- 2. That the plight of the owner is due to unique circumstances; and*
 - 3. That the variation, if granted, will not alter the essential character of the locality.*

Additional supplemental standards (Exhibit A) are attached for your consideration.

Additional items for consideration include:

Considering the proposed distance from the building and the width of the bollards, they will be .7' to 1.1' from the property line.

While there have been three historical incidents of a vehicle hitting the building on the Plainfield Road side, there are no such incidents on record on the Caton Farm Road side.

Within the last year, the Applicant applied for and received a building permit to install bollards along the west (intersection of Plainfield Road and Caton Farm Road) and the south (Plainfield Road) sides of the existing building in compliance with applicable City regulations. This work has been completed.

Please contact Ron Mentzer at 815-741-5107 or rmentzer@cityofcresthill.com with any questions or concerns.

Exhibit A

For the purpose of supplementing the above standards, the Plan Commission, in making the determination, whenever there are particular hardships, shall also take into consideration the extent to which the following facts, favorable to the applicant, have been established by the evidence:

1. *That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out.*
2. *The conditions upon which the petition for a variation is based are unique to the property owner for which the variation is sought and are not applicable, generally, to the other property within the same zoning classification.*
3. *That the alleged difficulty or hardship is caused by the Ordinance and has not been created by any person presently having an interest in the property.*
4. *That the proposed variation will not impair an adequate supply of light and air to adjacent property or substantially increase congestion in the public streets or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values within the adjacent neighborhood.*
5. *That the variation does not permit a use otherwise excluded from the particular zone except for uses authorized by the Plan Commission, subject to the approval of the City Council, as “similar and compatible uses.”*
6. *That the variation granted is the minimum adjustment necessary for the reasonable use of the land.*
7. *That the granting of any variation is in harmony with the general purposes and intent of the Zoning Ordinance, and will not be injurious to the neighborhood, be detrimental to the public welfare, alter the essential character of the locality, or be in conflict with the Comprehensive Plan for development of the City Administration and Enforcement City of Crest Hill.*
8. *That, for reasons fully set forth in the recommendations of the Plan Commission, and the report of the City Council, the aforesaid circumstances or conditions are such that the strict application of the provisions of the Zoning Ordinance would deprive the applicant of any reasonable use of his land. Mere loss in value shall not.*

