

**CITY OF ROCHELLE
PLANNING & ZONING COMMISSION
REPORT OF FINDINGS**

Case No.: PZC-14-22
Applicant: Robert Kuehl
Address: 323 W. 2nd Ave., Rochelle, IL

Narrative:

The petitioner is seeking a variance of setbacks to construct a proposed Body/Mechanic Shop, located at 323 W. 2nd Ave. The subject property is zoned I1, Light Industry. The petitioner is requesting a variance of building setbacks and landscape buffer.

Sec. 110-313. - Interior parkways, (3) a. Industrial districts, A minimum 50' interior parkway from the Right of Way is required for a landscape buffer. The property at 323 W. 2nd Ave. is a corner lot which gives the property two frontages. Sec. 110-140, I-1 Light Industry District requires a 15' side yard setback and corner lots have a 20' setback requirement on both frontages.

The petitioner is requesting the following variances:

Variance of landscaping buffer (Sec. 110-314) (3) a. 38' variance on the west side and 28' variance on the south side.

Variance of building setbacks (Sec. 110-140) 5' variance on the east side and 8' on the west side.

The petitioner is requesting to construct a building that requires setback variances because where his business is currently located is being sold and he is being forced to relocate. No alternative locations are available; therefore, he purchased the adjacent lot. The petitioner wants to continue to be located close to the downtown central business district and continue to run a successful business that is supported by our community. This has been a viable business for ten years. The size of the building he is requesting the variance for is the smallest possible footprint to fit the paint booth and everything necessary to operate his body shop. With the required building setbacks combined with landscaping buffer requirements, there is no buildable area left on the property without a variance.

Staff Presents

Staff is presenting the request for a variance of setbacks and landscape buffer to construct a building for a body/mechanic shop.

Findings: *Variance of Building Setbacks*

1. Is the proposed variance allowed in the proposed zoning district, but only with a variance?
Yes: _____ No: _____

Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is “No”, but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: _____

Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: _____

Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: _____

Explanation: _____

5. Will the proposed variance:

- (a) impair light and air to adjacent property;
- (b) congest public streets;
- (c) increase the risk of fire;
- (d) substantially diminish property values within the vicinity; or
- (e) endanger the public health?

Yes: _____ No: _____

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

_____ That the Petitioner be granted a variance for the proposed use at the Subject Property, without conditions other than the other applicable requirements of the Rochelle Municipal Code.

_____ That the Petitioner be granted a variance for the proposed use at the Subject Property, with the following conditions attached thereto, in addition to the requirements of the Rochelle Municipal Code:

_____ That the Petitioner be denied a variance for the proposed use at the Subject Property. If this is based on any reason other than a “Yes” response above, the Planning and Zoning Commission explains as follows:

Passed by the Planning & Zoning Commission: _____

Vote:

Ayes: _____ **Nays:** _____ **Abstain:** _____

CHAIRMAN

Findings: *Variance of Landscape Buffer*

1. Is the proposed variance allowed in the proposed zoning district, but only with a variance?

Yes: _____ No: _____

Explanation: _____

If the answer to any of the following questions is “Yes”, then the Commission should recommend that the City Council deny the petition for a special use permit. If the answer to all of the following questions is “No”, then the Commission may recommend that the City Council approve or deny the petition for a special use permit. Each question should state an answer and give an explanation. If the answers to all of the questions is “No”, but the Commission votes to recommend denying the petition, the Commission should provide an explanation as to why.

2. Is the proposed variance detrimental or dangerous to public health?

Yes: _____ No: _____

Explanation: _____

3. Will the proposed variance impair property value in the neighborhood?

Yes: _____ No: _____

Explanation: _____

4. Will the proposed variance impede the normal development of the surrounding properties?

Yes: _____ No: _____

Explanation: _____

5. Will the proposed variance:

- a. impair light and air to adjacent property;
- b. congest public streets;
- c. increase the risk of fire;
- d. substantially diminish property values within the vicinity; or
- e. endanger the public health?

Yes: _____ No: _____

Explanation: _____

Recommendation:

Based on the findings above, the Planning and Zoning Commission hereby recommends to the Rochelle City Council that:

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Passed by the Planning & Zoning Commission: _____

Vote:

Ayes: _____ **Nays:** _____ **Abstain:** _____

CHAIRMAN