

**VILLAGE OF RICHMOND
5600 HUNTER DRIVE
PUBLIC ZONING HEARING
MAY 22, 2019**

IN THE MATTER OF THE PETITION BY ANDERSON PROPERTIES LLC SERIES AND JOHN BELLER, CONTRACT PURCHASER, REQUESTING BULK VARIANCES MANDATED BY THE UDO FOR THE PROPERTY LOCATED AT 5710 LIBERTY STREET

After everyone stood for the pledge, Village Clerk Thomas called the hearing to order at 2:00 PM in the Village Hall, 5600 Hunter Drive, Richmond, IL.

PRESENT: Zoning Hearing Officer Brett Postl.

ALSO PRESENT: Petitioner Patricia L. Anderson (managing member in Anderson Properties LLC Series, Petitioners Attorney Neil Anderson and Village Clerk Karla L. Thomas.

APPROVAL OF MINUTES:

Zoning Hearing Officer Postl reviewed the minutes from the May 9, 2018 Public Zoning Hearing. He approved them as presented and signed them.

VERIFICATION OF FEE/DOCUMENTS: Village Clerk Thomas stated for the record that all fees and necessary documents required had been filed with the Village.

PRESENTATION BY APPLICANT:

Attorney Anderson asked the petitioner, Patty Anderson, if she had reviewed and found the petition (presented as Exhibit B) to be accurate. The petitioner responded yes. The petitioner confirmed that Anderson Properties LLC is the owner of the property located at 5710 Liberty Street. Attorney Anderson questioned the petitioner on whether she had altered or changed the lot dimension since the corporate owned the property. The petitioner responded no. Attorney Anderson asked the petitioner if it was her intention to build a single-family house on the property. Petitioner answered yes. Attorney Anderson asked the petitioner if she were to build a single-family residence on the property in question that was practicable, one that would meet all requirements of the zoning and ordinance codes. The petitioner responded in the current state no. Attorney Anderson stated that because effectively if we have all the setbacks in place, the house would be two (2) feet deep, correct. Petitioner responded correct. Attorney Anderson stated the property in question is zoned single-family residential correct. Petitioner responded correct. Attorney Anderson asked if the property in question is approximately 100 feet wide by 62 feet deep. Petitioner replied correct. Attorney Anderson asked is it true that all the properties north on Liberty Street are all the same depth. Petitioner answered yes. Attorney Anderson stated, so the property both to the left and the right of the property in question have the same issues, correct. Petitioner responded correct. Attorney Anderson asked is it true that on both the properties to the left and right of the property in question there are single-family residences constructed. Petitioner responded yes. Attorney Anderson asked, you are asking for setbacks to be comparable or relatively equal to those setbacks of the neighboring properties. Petitioner stated yes. Attorney Anderson presented the petitioner "Exhibit C as marked" and asked if it is a survey of the property in question which is Lot 4, as well as, indicating the property to the right, which is Lot 5, correct. The petitioner responded correct. Attorney Anderson asked is that an example of where the property lines are on the contiguous properties. The petitioner responded yes. Attorney Anderson asked on the property to the right, Lot 5, it has a rear setback of 3.43 feet and front setback of 22.81 feet and you are asking to have a rear setback of 9 feet on the property in question and a front setback of 21 feet, correct. The petitioner responded correct. Attorney Anderson stated so any construction on Lot 4 would be comparable to size and nature to the property to the right, Lot 5 on Liberty Street. Petitioner stated absolutely. Attorney Anderson requested to submit "Exhibit C" as part of the petition. Attorney Anderson offered "Exhibit A", which indicated that all the properties on the north side of Liberty having similar depth of the property in question. Attorney Anderson stated to the petitioner, you did not cause this situation. The petitioner stated no. Attorney Anderson asked if the Village would grant this deviation or variation it would not create any special easement to you that does not already exist within the surrounding area, correct. The petitioner responded correct. Attorney Anderson stated it would not affect the general effect, image, growth or development of the property in question. The

petitioner responded correct. Attorney Anderson stated you would still be using the property for residential as it is currently zoned. The petitioner stated yes. Attorney Anderson questioned, it would not alter, harm or diminish your value or the neighboring properties around you, would it? The petitioner responded correct. Attorney Anderson asked you would not need any additional utilities (lights, electricity, gas) to be able to do this, all utilities already exist correct. The petitioner responded correct. Attorney Anderson stated it is otherwise consistent with the conformity of the Village zoning future map to the best of your ability. The petitioner responded yes.

QUESTIONS FROM ZONING HEARING OFFICER REGARDING APPLICATION:

Hearing Officer Postl stated you do understand that just because setbacks to the back and front of the adjacent homes or any homes on that street does not lead one to approve a variance because it is done somewhere else, but I do follow your line of thought that it is consistent with the neighborhood.

PUBLIC COMMENTS: Lloyd Pickering (5717 Liberty St.) asked how would you know if what you are proposing on Lot 5 will affect the values of other properties, your witness testified that it would not, how is that determined? Attorney Anderson responded knowledge. Attorney Anderson rephrased the question to the petitioner. Are you aware of any adverse or negative impact upon any of the contiguous properties or neighborhood if this property was to be developed as a single-family residence? The petitioner stated no.

Hearing Officer Postl asked the petitioner if she sees any other variances required other than what has been requested in this variance to make the property conform with the neighborhood as a residential property, which would be a positive to the neighborhood? Attorney Anderson stated to the petitioners knowledge we are fully expecting to be held to all other building and zoning code ordinances and comply with all building and zoning code ordinances. These are the only ones that would be required, to be allowed to build a single-family residence.


FINDINGS AND RECOMMENDATION OF ZONING HEARING OFFICER:

Hearing Officer Postl stated I had reviewed the submission and heard the testimony and there were no objections. I do find that the petition is appropriate for the property. It does meet the requirements of a variance for the Village of Richmond. Being that the property is required to be of value as a residential property, that you cannot build a house in two (2) feet in depth and it is appropriate, so as the Hearing Officer, I will make a recommendation to the Village Board of Trustees the variance be approved.

ADJOURNMENT:

Hearing Officer Brett Postl stated there being no further business, the public hearing is adjourned. The hearing was adjourned at 2:10 PM.

Respectfully Submitted by:


Kafla L. Thomas, Village Clerk

Approved:

 3/16/20
Zoning Hearing Officer Date