

DANVILLE PLANNING AND ZONING COMMISSION MINUTES

May 7, 2015

A meeting of the Danville Planning and Zoning Commission was held on Thursday **May 7, 2015**, in the Community Room, 17 West Main Street, Danville, Illinois.

MEMBERS IN ATTENDANCE: Dale Carlton
Pete Goodwin
Kent King
Dennis Faith
Ted Vacketta

MEMBERS NOT PRESENT: Tracy Taylor
Melody Ehrlich
Chris Hanson
Minni Seth

OTHERS IN ATTENDANCE: Christopher Milliken
Lisa Robinson
Amber & Dwight Lucas
William Bland
Joyce & Greg Bourn
Jaclyn Marganski

Vice-Chairman Dennis Faith called the meeting to order at 5:15 p.m.

Roll Call: Dale Carlton, Pete Goodwin, Kent King, Dennis Faith and Ted Vacketta present. Absent were Melody Ehrlich, Tracy Taylor, Minni Seth and Chris Hanson. A quorum was present.

Advisory to City Council: City Council will hear the petitions on Tuesday, May 19, 2015, at 6:00pm.

Items of Information: Chris Milliken advised that the Department had passed out three petitions so there will likely be a meeting next month.

Approval of the Minutes: Ted Vacketta made a motion to approve the minutes of March 5, 2015, as presented; seconded by Kent King; unanimously approved by voice vote.

General Oath of Audience was given. 4 individuals present were sworn in.

Public Hearings -

Special Use Permit #222 – Amber Lucas is requesting a special use permit to allow for a seamstress business as a major home occupation in her residence at 1909 N. Gilbert Street, in the R1 Single Family Residential Zoning District.

Petitioner: Amber Lucas advised she wants to operate a seamstress business in her home. She advised there was a definitive need and that there was another person that she has previously helped with clients and that person was passing all of their clients over to her. Lucas indicated clients and traffic would be sporadic with no more than 4 clients per week nor more than 2 per day. Lucas acknowledged that she does share a driveway with the neighbors to the South and so she would be asking all clients to park on the street. Lucas indicated that this is something that she wanted to do in her home due to having a young child to care for.

Supporting the Petition: None present.

Opposition to the Petition: Joyce Bourn 1907 N Gilbert, Mrs. Bourn advised she had lived at this location for 17 years, and was not happy that Mrs. Lucas had not approached her and her husband to talk about this proposed use. Mrs. Bourn inquired as to which way clients were going to enter the home for the business and whether they would be walking up and down the driveway. Mrs. Bourn also expressed concern as to what exactly major home occupation meant and what all the neighbor would be allowed to do there. Mrs. Bourn showed recent pictures of the driveway to the Commission. She also advised that the maintenance of the driveway is currently split between them and their neighbor and that they would take turns and be concerned about one another in keeping the driveway cleaned. The final concern mentioned was about liability.

Amber Lucas indicated that as part of her services that she actually goes out to clients also, so if she was getting too many clients she would go out to them, rather than doing it all from her home. Lucas indicated that her main goal in requesting the special use permit was so that she could have clients come to her house.

William Bland 1911 N Gilbert, asked if she has more customers than three or four, would she turn them away?

Amber Lucas indicated that if there are more people willing to use her services she is willing to go out to them, so all of them will not be coming to her house. Lucas indicated that this is something that she really wants to do and that she would really like to be a good neighbor in doing this.

Mr. Bland asked why this is considered a home occupation.

Chris Milliken reported that what identifies this particular use as a major home occupation is the fact that people are coming and going from the property. If the petitioner did not have customers coming or going then there would not be a need for this to be considered a major home occupation, it would be a minor home occupation and there would not be any special use permit required, nor city approvals and so forth.

Questions or Comments from the Commission:

Would visitors to the home be by appointment only? Yes

Department Recommendation:

Christopher Milliken: Milliken apologized to the petitioner and neighbors for the hearing being postponed a month due to lack of a quorum and noted that the hearing notice got republished and mailed notices did get resent to the neighbors. A few calls from neighbors with questions were initially received. Milliken expressed concern that the shared driveway was still an issue since the Department did recommend that the petitioner should discuss the proposed request with neighbors in advance of the hearing.

Commissioner Vacketta indicated that before the Commission took action on the request Mrs. Lucas may want to make alterations to what she is requesting including omitting the building sign request and by pursuing an driveway agreement with the neighbors, and ensuring that the driveway would not be used by the clients.

Amber Lucas indicated that she would be willing to alter her request to omit the sign, have clients enter thru the front door only, and to pursue a written agreement with the neighbors for the driveway.

Motion made by Ted Vacketta to adopt the preliminary findings of fact and approve SUP #222 as presented with the following conditions:

- A. No one other than the petitioner is employed in this home occupation at this location.**
- B. A written and recorded access agreement for the use of the shared driveway between the subject property and 1907 N Gilbert is in place prior to the establishment of the home occupation.**
- C. Only 1 customer/client at a time is allowed on the subject property.**
- D. No signage associated with the home occupation is present on the property at any time.**
- E. All customer/client parking is restricted to available on street parking only.**

Seconded by Dale Carlton.

Roll Call: Yes: Dale Carlton, Pete Goodwin, & Ted Vacketta

No: Kent King, Dennis Faith

Abstain: None

Absent: Melody Ehrlich, Chris Hanson, Minni Seth, & Tracy Taylor

Motion carried: **SUP #222 approved**

Other Business - Presentation on the East Main Street Corridor Study Project

Chris Milliken introduced Jaclyn Marganski to discuss the project.

Jaclyn Marganski articulated the purpose for the study and described the process. Marganski also described the various focus areas of the plan and the other recommended concepts. Marganski also pointed out that policy changes needed to be brought about to facilitate plan implementation including possible zoning ordinance changes.

The meeting was adjourned at 6:25pm.