

**1. Call Meeting To Order**

**2. Roll Call**

**3. Public Participation**

This is an opportunity for the public to provide public comment to the Presiding Officer. Those wishing to speak are required to sign in prior to commencement of the meeting and must address Council from the seat and table provided. The public comments must comply with Ordinance 2014-02 and be limited to 5 minutes or less

**4. Approval Of Meeting Minutes**

**5. New Business**

- Recommendation towards Variance Request, 816 E. High Street
- Recommendation towards Variance Request, 119 E. Bond Street
- Discussion of fence requirements surrounding a swimming pool

**6. Introduction Of Variance Request, 816 E. High Street- City Staff**

William Summers has requested a variance to the distance separation requirement for a main building and an accessory building, so he may construct a single family residence at 816 E. High Street.

Documents:

[816 E HIGH MEMO.PDF](#)  
[IMAGES.PDF](#)

**6.A. Project Overview - Petitioner/Staff**

**6.B. Questions & Discussion From The Planning And Zoning Board**

**6.C. Public Testimony Period**

**6.D. Public Hearing Is Closed**

**6.E. Action - Planning & Zoning Board**

Documents:

[816 E. HIGH MOTION.PDF](#)

**7. Introduction Of Variance Request, 119 E. Bond Street- City Staff**

Jennifer & Chris Sturner have requested a variance to the maximum height requirement for a fence located within a front yard setback at 119 E. Bond Street.

Documents:

[119 E BOND AERIAL.PDF](#)  
[119 E. BOND MEMO.PDF](#)

**7.A. Project Overview - Petitioner/Staff**

**7.B. Questions & Discussion From The Planning And Zoning Board**

**7.C. Public Testimony Period**

**7.D. Public Hearing Is Closed**

## **7.E. Action - Planning & Zoning Board**

Documents:

[119 E. BOND MOTION.PDF](#)

## **8. Board Discussion - Pool Fence Regulations**

Based upon direction at the July 18th, 2016 Planning & Zoning Board meeting, the Board is to discuss the current requirements for a fence surrounding a swimming pool, and whether the zoning ordinance needs to be amended as it relates to the height requirement. This is for discussion only - no action will be taken.

Documents:

[8.15.16 MEMO.PDF](#)

## **9. Meeting Adjourned**



## PLANNING & ZONING BOARD MEETING MEMORANDUM

<b>ITEM:</b> Variance Request – 816 E. High Street	<b>DEPARTMENT:</b> City Administration
<b>AGENDA SECTION:</b> New Business	<b>SUBMITTED BY:</b> Callie Jo McFarland, Community Development Director
<b>ATTACHMENTS:</b> (X) Motion (X) OTHER SUPPORTING DOCUMENTS	<b>DATE:</b> July 28 <sup>th</sup> , 2016

**BACKGROUND:**

William Summers has plans to construct a single family residence on the property at 816 E. High Street. The property already has an existing detached garage, which Mr. Summers would like to leave intact. Mr. Summers wishes to construct the residence in accordance with plans submitted. The plans for the residence have a covered porch on the north side/rear of the property, which would make the distance separating the residence and the garage 3’6”.

The City of Monticello Zoning Ordinance states a detached accessory building shall not be located within 10 feet of the main building (§153.020(B)(4), City of Monticello Municipal Code, Zoning Regulations). In order to comply with the Municipal Code and be able to construct the proposed residence, Mr. Summers is seeking a variance to reduce the necessary distance between a main building and an accessory building from 10’ to 3’6”.

A street view and aerial image of the property, site plans, a confirmation of the public notice published in the July 28th, 2016 edition of the News Gazette, and meeting motion are included in this packet. A public notice will also be published in the August 3<sup>rd</sup> edition of the Piatt County Journal Republican.

**RECOMMENDED ACTION:**

It is recommended that the Planning & Zoning Board discuss and make a recommendation to city council on whether to approve or deny this and variance request.

Aerial Image. Please note; trailer on image has been removed.



Streetview image.



MOTION FOR MONTICELLO PLANNING & ZONING BOARD  
Mr. William Summers (owner) - 816 E. High Street

WHEREAS, the City of Monticello, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures for zoning and the use of land within the Corporate Limits of the City of Monticello; and,

WHEREAS, William Summers, owner of property legally described as:

Block 18, west 50 feet of Lot 7, Keenan's East Addition to Monticello, Section 52, Township 9, Range 56. Property commonly known as 816 E. High Street, Monticello, Piatt County, Illinois.

Is seeking a variance to the regulations for an accessory building in an Urban Residential- RD zoned district.

WHEREAS, the variation required is as follows:

A variance to distance requirements for an accessory building to a main building, reducing the distance from 10' to 3'6";

WHEREAS, the City of Monticello Zoning Administrator has reviewed the petitioner's request for a variance and has submitted the petition and supporting documents to the Planning & Zoning Board; and

WHEREAS, the Planning & Zoning Board has held a public hearing on August 15<sup>th</sup>, 2016 concerning this matter and comment from the public was solicited and received; and

WHEREAS, the Planning & Zoning Board has reviewed the evidence submitted, including the Application for Variance and other supporting documents, and has considered all the available testimony and facts regarding the subject request.

BE IT THEREFORE RESOLVED this 15<sup>th</sup> day of August, 2016 that the City of Monticello Planning & Zoning Board makes the following recommendation to the City Council of the City of Monticello:

(Approval) (Denial) of the variation, as follows, to the accessory building requirements in an RD district;

A variance to distance requirements for an accessory building to a main building, reducing the distance from 10' to 3'6";

The Planning & Zoning Board does further set forth the following findings of facts concerning the request variance:

1. All procedural matters have been properly complied with.
2. The City of Monticello Zoning Administrator has prepared and submitted background information relevant to this case.
3. That special circumstances or conditions apply to the land for which a variation is sought.

4. Any special circumstances have not resulted from an act of the applicant subsequent to the adoption of the Zoning Ordinance.

5. Special circumstances do exist such that a strict application of the provisions of the Zoning Ordinance would deprive the applicant of reasonable use of his or her land.

6. The variations requested are necessary for a reasonable use of the land for the desired purpose.

7. The variations requested are in general harmony with the general purposes of intent of the Zoning Ordinance.

8. The variations granted will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City ordinances or codes.

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Chairman, Planning & Zoning Board  
City of Monticello

# GIS Webmap Public Interface Piatt County, Illinois



This map application was prepared with Piatt County geographic information system (GIS) data. Piatt County does not warrant or guarantee the accuracy or suitability of GIS data for any purpose. The GIS data within this application is intended to be used as a general index to spatial information and not intended for detailed, site-specific analysis or resolution of legal matters. Users assume all risk arising from the use or misuse of this application and information contained herein. The use of this application constitutes acknowledgement of this disclaimer.





## PLANNING & ZONING BOARD MEETING MEMORANDUM

<b>ITEM:</b> Variance Request – 119 E. Bond Street	<b>DEPARTMENT:</b> City Administration
<b>AGENDA SECTION:</b> New Business	<b>SUBMITTED BY:</b> Callie Jo McFarland, Community Development Director
<b>ATTACHMENTS:</b> (X) Motion (X) OTHER SUPPORTING DOCUMENTS	<b>DATE:</b> July 28 <sup>th</sup> , 2016

**BACKGROUND:**

Jennifer and Chris Sturner recently purchased the single family residence at 119 E. Bond Street. The property is a corner lot therefore has 2 front yards. The owners wish to install a privacy fence to enclose the yard for their dogs and child’s play area. The fence would be made of cedar and professionally painted. Because of the proximity to the schools and the activity associated with the schools and school events, the owners would like the fence to be 6’ in height. Based upon the conceptual images provided by the owners and in this packet, the proposed location of the fence would be located within the front yard setback (Independence Street).

The City of Monticello Zoning Ordinance states a fence shall not exceed 4 feet in front yards (153.038 (1)(a), City of Monticello Municipal Code Zoning Regulations). In order to comply with the Municipal Code and be able to construct the proposed residence, the property owners are seeking a variance to the 4 foot maximum, to allow the 6 foot fence within a front yard setback.

An aerial image of the property, along with street-view images showing the planned location of the fence are included in this packet, along with a confirmation of the public notice published in the July 28th, 2016 edition of the News Gazette, and meeting motion are included in this packet. A public notice will also be published in the August 3<sup>rd</sup> edition of the Piatt County Journal Republican.

**RECOMMENDED ACTION:**

It is recommended that the Planning & Zoning Board discuss and make a recommendation to city council on whether to approve or deny this and variance request.

MOTION FOR MONTICELLO PLANNING & ZONING BOARD  
Jennifer & Chris Sturner (owners) - 119 E. Bond Street

WHEREAS, the City of Monticello, pursuant to the authority conferred by the Statutes of the State of Illinois, has established certain standards and procedures for zoning and the use of land within the Corporate Limits of the City of Monticello; and,

WHEREAS, Jennifer & Chris Sturner, owners of property legally described as:

70' off the East end of the North ½ of Block 2 in Piatt's South Addition to Monticello. Said property commonly known as 119 E. Bond Street, Monticello, Illinois;

Are seeking a variance to the height regulations for a fence located in a front yard in an Urban Residential- RD zoned district.

WHEREAS, the variation required is as follows:

A variance to height requirement for a fence located in a front yard, increasing the maximum height from 4' to 6';

WHEREAS, the City of Monticello Zoning Administrator has reviewed the petitioner's request for a variance and has submitted the petition and supporting documents to the Planning & Zoning Board; and

WHEREAS, the Planning & Zoning Board has held a public hearing on August 15<sup>th</sup>, 2016 concerning this matter and comment from the public was solicited and received; and

WHEREAS, the Planning & Zoning Board has reviewed the evidence submitted, including the Application for Variance and other supporting documents, and has considered all the available testimony and facts regarding the subject request.

BE IT THEREFORE RESOLVED this 15<sup>th</sup> day of August, 2016 that the City of Monticello Planning & Zoning Board makes the following recommendation to the City Council of the City of Monticello:

(Approval) (Denial) of the variation, as follows, to height regulations for a fence located in a front yard in an Urban Residential- RD zoned district;

A variance to height requirement for a fence located in a front yard, increasing the maximum height from 4' to 6';

The Planning & Zoning Board does further set forth the following findings of facts concerning the request variance:

1. All procedural matters have been properly complied with.
2. The City of Monticello Zoning Administrator has prepared and submitted background information relevant to this case.
3. That special circumstances or conditions apply to the land for which a variation is sought.

4. Any special circumstances have not resulted from an act of the applicant subsequent to the adoption of the Zoning Ordinance.

5. Special circumstances do exist such that a strict application of the provisions of the Zoning Ordinance would deprive the applicant of reasonable use of his or her land.

6. The variations requested are necessary for a reasonable use of the land for the desired purpose.

7. The variations requested are in general harmony with the general purposes of intent of the Zoning Ordinance.

8. The variations granted will not be injurious to the neighborhood, detrimental to the public welfare, or in conflict with other City ordinances or codes.

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Chairman, Planning & Zoning Board  
City of Monticello



## PLANNING & ZONING BOARD MEETING MEMORANDUM

<b>ITEM:</b> Fence height requirements - Swimming Pools	<b>DEPARTMENT:</b> City Administration
<b>AGENDA SECTION:</b> New Business	<b>SUBMITTED BY:</b> Callie Jo McFarland, Community Development Director
<b>ATTACHMENTS:</b> ( ) Motion ( ) OTHER SUPPORTING DOCUMENTS	<b>DATE:</b> August 1, 2016

**BACKGROUND:**

The following has to do with the regulation regarding the height of a fence surrounding a swimming pool. *“Fences required for swimming pools.* For the protection of the general public, any swimming pool greater than 3 feet in depth shall be enclosed by a fence not less than 6 feet in height above grade level. The gate(s) shall be of a self-closing and latching type, with the latch on the inside of the gate not readily accessible for children to open.” (City of Monticello Zoning Ordinance §153.038 (D) (5)).

The City of Monticello regulatory boards have approved five variance requests to reduce the required fence height surrounding a pool since 2007 when this portion of the zoning ordinance was last updated. Four of the five variance requests to reduce the 6’ requirement were for fences pre-existing at the time of pool construction.

The 2003 International Building Code, which is the code the City of Monticello currently has adopted, requires a 4’ tall fence surrounding pools, unless an automatic safety cover is installed on the pool. The Council has expressed the direction of adopting more current building and safety codes, which reflect the 4’ height requirement. Additionally, of the communities surveyed in central Illinois, the majority have a 4’ fence requirement.

I was not a part of the discussions in 2006 and 2007 that focused on this regulation, but I am told that even though the above was also the case, the emphasis was still put on safety and the Planning Commission and ultimately the City Council decided to go with a 6’ requirement.

At the July 18<sup>th</sup>, 2016 Planning & Zoning Board meeting, it was suggested that the Planning & Zoning Board discuss this regulation and the potential need for an amendment to the height.

**RECOMMENDED ACTION:**

It is recommended that the Planning & Zoning Board discuss and make a recommendation to Staff on whether to reconsider the fence height required for a fence surrounding a swimming pool. No official motion will be made at this meeting. If the PZB chooses to recommend an amendment, a formal motion will be made at a future meeting.