

MINUTES OF THE CITY OF PONTIAC PLANNING AND ZONING BOARD

The City of Pontiac Planning and Zoning Board held a meeting on Monday, August 14, 2023, at 4:30 p.m. in the City Hall Council Chambers to consider the following:

Kyle Delong, petitioner, has requested that the property located on the corner of East McKinley Street and North Elm Street be rezoned from (R-1) One Family Residential District to (R-2) Two Family Residence to allow the property be used for future duplexes. The legal description of said property is Lots 1, 2, and 3 of Block 1 in Cowan's Addition to Pontiac, Illinois.

The following members were present: Rick Baier, Tim Fogarty, Tim Lewis, Bill Abraham, Don Hicks, Pat Martin, and Matt Stock. Also present were David Wilson from the Building and Zoning Office, Alan Schrock, City Attorney, and Jim Woolford, City Administrator. Tom Lind, client of petitioner, and several audience members were also in attendance. With a quorum being present, the meeting began at 4:32 p.m.

Bill Abraham made a motion to approve the minutes from the July 10, 2023 meeting and with a second from Tim Lewis and a unanimous yes vote, the minutes were approved. Tom Lind, client of petitioner and pending landowner, spoke before the Board discussing his intent for his project. Mr. Lind would like to build three duplexes that will meet all code requirements and will be cared for and maintained. Mr. Lind spoke to the Board stating that he believes that this project will provide jobs during the building process, will be beneficial to the City, could be great for any school staff looking to rent, and could keep people from moving out of town due to lack of rentals in the City. Kevin Flessner (806 and 705 E. McKinley Street), stood before the Board in protest to the project, stating that he created a petition with 43 surrounding landowners' signatures. Mr. Flessner spoke about the property having dirt dumped to bring the property out of the flood zone. Mr. Flessner stated water already pools up in the neighborhood because of the high ground, and creating duplexes will only add to the problem. Larry Maubach (809 E. McKinley Street), stood before the Board stating that he also has concerns of water run off as well as sewer drainage backing up onto his property. Mr. Maubach stated that three duplexes will create more issues. Mr. Lind rebutted arguments stating that the City Engineer has already created ways to make sure that water run off will not continue to be a problem and that the City Sewer Department will also help to eliminate any issues. Alan Schrock spoke to the audience and the Board about the sewer tie up regulations and stated that the Zoning Board is responsible for zoning issues only. Gary Franklin (811 E. McKinley Street) stood before the Board discussing the raising of the property, stating that he was not notified, there was not a permit on site, and that he was told that a natural floodway cannot be blocked. David Wilson, Building and Zoning, explained to the audience and Board members that the previous owners of the property had approval from the State of Illinois and received a Letter of Map

Amendment, which allows a property to be raised to be taken out of the flood zone. Alan Schrock then reiterated that the Zoning Board is in charge of zoning issues and that the only issues that needs to be addressed is density of the neighborhood. Mr. Franklin stated that the property needs a trench rather than buildings to decrease flooding and sewer drainage issues. Mr. Schrock stated that surface drainage plans are in place and that if Mr. Lind wanted three one-family residential buildings, they would be allowed. Larry Vietti (902 E. McKinley Street), questioned why he was not allowed a fence because of flood zoning, to which Mr. Schrock stated that is a City Zoning issue, which does not correlate to the petition request. Jim Motteler (802 E. McKinley Street) stated that the area is already without a curb, sidewalk, and drain, and that the flooding will become worse when any building will be added, whether single family home or even apartments. Mr. Motteler stated that the flooding does not come from rain itself, but the way the wastewater system is set up. Mr. Schrock stated that the City will not add curb and gutter to the area as it is not required because Mr. Lind is not subdividing lots. Cody Walker (805 W. McKinley Street) showed concern about having six families being in a temporary home, meaning that the area will have new families consistently. Mr. Walker stated that the neighborhood is mostly quiet, controlled, and friendly, where all neighbors know each other and get along. Mr. Walker stated that adding new neighbors every 6 months-1 year will take away the quietness of the neighborhood. Mr. Walker also stated that adding more people to the neighborhood adds more personalities that could be dangerous for the neighborhood and schools. Mr. Lind stated that background checks will be ran and that having a duplex does not automatically mean dangerous people.

Matt Stock discussed with the Board that spot zoning is extremely rare in the City and that if petition is approved, spot zoning will happen all over the City. Bill Abraham wanted to express to the audience that neither permits nor a Zoning meeting were required for the dirt to be poured onto the property to bring it out of the Flood Zone. After discussion within the Board, Don Hicks made a motion to deny the rezoning request, a second from Matt Stock, 2 yes votes, 2 no votes, and 1 abstinence, the motion was denied.

With no further discussion, the meeting was adjourned at 5:27 p.m.

Minutes written
and submitted by,

Brittney Miller
Building and Zoning Office