

MT. ZION PLANNING COMMISSION AND ZONING BOARD OF APPEALS
MEETING MINUTES
December 7, 2021
5:30 p.m.

Chairman Jim Mandoline called the meeting of the Mt. Zion Planning Commission & Zoning Board of Appeals to order at 5:30 p.m. in the Village Hall Board Room. The following Commissioners were present for roll call: Randy Thacker, Tom Davey, Brian Zuber, and Travis Foreman. Also present were Village Administrator, Julie Miller, and Village Treasurer, Corey McKenzie. Dan Mogged was absent. One seat is vacant.

Minutes: The minutes of the October 5, 2021 meeting were approved as presented on a motion by Commissioner Foreman, seconded by Commissioner Davey. A voice vote was unanimous, motion carried.

Public Forum: Ten people were present. Ms. Streeval, 225 E. Roberts Drive, addressed the Board with concerns over flooding around her home due to the bingo hall. Administrator Miller advised Streeval that this Planning Commission and Zoning Board of Appeals was not the appropriate Board to bring these types of matters to and would be more than happy to discuss the issue with her after the meeting. Village Administrator, Julie Miller, advised Ms. Streeval to contact her directly regarding the issue. This was the first time she had received any complaints regarding flooding in the area.

Public Hearing – Rezoning Petition & Special Use Request – 640 N. State Route 121- Dylan Jensen: A motion was made by Commissioner Thacker to open the Public Hearing for the Rezoning Petition & Special Use Request – 640 N. State Route 121, seconded by Commissioner Zuber. A roll call vote was taken: Thacker-yea, Davey-yea, Foreman-yea, and Zuber-yea. Motion carried 4-yea, 0-nay, 1-absent.

Administrator Miller presented a request from Dylan Jensen to rezone 640 N. State Route 121 from its current zone VR-1 Residential to VB-3 Highway Commercial. In addition to the rezoning request, Mr. Jensen is also petitioning to acquire a Special Use Permit to operate a vehicle service center on the property. The rezoning and special use permit would improve the property and aligns with the Village's Comprehensive Land Use Plan for commercial development along State Highway 121. A public notice was published, and adjacent property owners were notified. No objections were received.

Larry Harris, 605 Mintler Drive, addressed the Board with some concerns, such as upkeep of the property, potential drainage issues regarding the creek and flooding his property, decreased property values, light pollution, noise pollution, and the impact this development would have on the wildlife. Mr. Harris also asked what would happen to the property's zoning and the special use permit if the business were to fail. Administrator Miller addressed several of Mr. Harris's concerns, stating that the property owner would have a commercial site plan review done by Village engineers to ensure all drainage issues are addressed and that he would have to abide by all state and local laws and ordinances.

Ms. Streeval, 225 E. Roberts Drive, addressed the Board with concerns. Ms. Streeval stated that in the past the current property owner tried rezoning the property and the board voted against it. She also expressed her concern for changing a residential property to a commercial property, impaired view, safety for children, and the impact on wildlife. Ms. Streeval then read a typed letter expressing her and her husband's fear of the negative impact it is going to have to their property, concerns over the noise and lighting pollution, impact of their view, and the potential financial impact on them.

Roy McKown, 700 N. State Highway 121, expressed concerns of potential flooding of the property, impact on wildlife, view from his property, and potential contamination of the nearby creek. Mr. McKown also asked why Mr. Jensen wanted to purchase and rezone a residential property when there were several other vacant commercial properties in the area.

Carl McKown, on behalf of his mother who lives at 215 E. Roberts Drive, expressed concerns of potential EPA violations and the impact the business would have on the soil and water. Mr. McKown also expressed concerns over impact on wildlife, neighboring homeowners' health, fumes coming from the proposed business, and drainage issues.

Dylan Jensen assured the concerned neighboring property owners that he will maintain the property in a respectable manner and plans to do nothing but improve the property.

A motion was made by Commissioner Zuber to close the Public Hearing for the Rezoning Petition & Special Use Request – 640 N. State Route 121, seconded by Commissioner Davey. A roll call vote was taken: Thacker-yea, Davey-yea, Foreman-yea, and Zuber-yea. Motion carried 4-yea, 0-nay, 1-absent.

Commissioner Zuber asked what the Village would do to help ensure the property is kept in good order. Administrator Miller explained the process used to handle all property maintenance issues throughout the Village.

Commissioner Foreman asked for clarification on the fence/site-break requirement. Administrator Miller stated that the fence/site-break could go all the way around the entire property, or just around the area Mr. Jensen decides to conduct his business.

Commissioner Zuber asked for clarification on the set-back requirements for the proposed building. Administrator Miller stated that during the site-plan review process the building setbacks will be addressed and confirmed to be within the Village's ordinances and requirements.

A motion was made by Commissioner Zuber to recommend to the Village Board of Trustees approval of the rezoning petition for 640 N. State Route 121 from VR-1 Residential to VB-3 Highway Commercial and grant a Special Use Permit to construct and operate a vehicle repair business as presented, seconded by Commissioner Foreman. A roll call vote was taken: Thacker-nay, Davey-yea, Foreman-yea, and Zuber-yea. Motion carried 3-yea, 1-nay, 1-absent.

Adjournment: A motion was made by Commissioner Davey to adjourn the December 7, 2021 Mt. Zion Planning Commission and Zoning Board of Appeals meeting, seconded by Commissioner Zuber. A voice vote was unanimous, motion carried. The meeting was adjourned at 6:29 p.m.

Respectfully submitted,



Corey McKenzie
Village Treasurer