

MINUTES OF THE CITY OF PONTIAC PLANNING & ZONING BOARD

The City of Pontiac Planning and Zoning Board held a meeting on Monday, April 22, 2019 at 4:30 p.m. in the City Hall Council Chambers to consider the following:

Paul Kelly, petitioner, requests a variance from the accessory structure height limitation. This variance would allow Mr. Kelly to put a 25' x 55' safety net in his rear yard, located on 1612 Meadowlark Drive. City of Pontiac Zoning Code, Section 4.10-4 states that no accessory building or portion thereof located in a required rear yard shall exceed fifteen feet in height. The legal description is as follows: Lot 50, Gardner Ewing 2nd Addition to Fairway View Subdivision to Pontiac, IL.

David Lindsey, representing for TDF Enterprises, LLC, petitioner, has requested a Special Use Permit, allowing him to have an outdoor restaurant seating area located at 624 W. Howard Street, Pontiac, IL. Pontiac Zoning Ordinance Table 4.04.1 requires a Special Use Permit for an outdoor restaurant seating area located in a B-3 Zoning District. The legal description is as follows: Lot 5, 6, 7, and 8 of Block 14 in Fell's Addition to Pontiac, IL.

The following members were present: Bill Abraham, Rick Baier, Bill Cole, Paul Giordano, Tim Lewis, and Pat Martin. Matt stock was absent. Also present were David Wilson from the Building and Zoning office, City Administrator Bob Karls, and Alan Schrock, City Attorney. With a quorum being present, the meeting began at 4:28 p.m.

Bill Abraham made a motion to approve the minutes of the March 11, 2019 meeting and with a second from Rick Baier and with a unanimous vote, the minutes were approved. Paul Giordano opened the floor to Paul Kelly, whom explained his desires for a golf net to protect his children and guests from any balls coming into his yard. Mr. Kelly stated that he knew of a company in Florida that can install his net and will hire Kelly Electric to install poles with the idea of having the whole structure retractable. Paul Giordano then opened the floor to the Board Members, in which Bill Cole asked Mr. Kelly how long he has lived there and if anyone else in the neighborhood has a golf net. Mr. Kelly then stated that other neighbors do not have this net, and also that he knew the golf course had always been there, however was unaware of how often he would find golf balls. Bill Abraham then asked Mr. Kelly if he has spoken with the neighbors to the North, in which Mr. Kelly stated that he has spoken with all of his neighbors and they would like to see this pass as to protect all the children in the neighborhood, as the children pass through each other's yards. Mr. Kelly then asked for help from Alan Schrock, as he is also a resident in the neighborhood, and Mr. Schrock stated that he finds multiple golf balls around and sees this net as a beneficial investment. Rick Baier then expressed concern of the color of the poles as well as the netting. Mr. Kelly stated that he was going to have wooden poles that he wished to stain in order to blend them into the trees and shrubs he also plans to plant. Paul Giordano opened the board to discussion, and with no further discussion, Tim Lewis motioned to recommend an approval from the City Council and with a second from Rick Baier, the vote was passed with a disapproval from Bill Cole and an abstinence from Pat Martin.

Paul Giordano then opened the floor to David Lindsey, whom explained his plans and designs to put up an outdoor seating area at his restaurant, located on 624 W. Howard Street. Bob Karls stated that the Planning Commission meeting is discussing only the Special Use Permit and briefly mentioned Liquor Codes. Alan Schrock then spoke of the Liquor Codes and mentioned that amendments will possibly be made to the alcohol code to permit alcohol use outside, however, that decision would be made by the City Council Board. Bill Abraham asked Lindsey about his plans as far as how to get into the area as well as landscaping. Lindsey assured that he would have landscaping along the sidewalks to keep put space between his outdoor seating area and any pedestrians and that he planned to enter from the East side. Alan Schrock then reminded the Board members that Lindsey bought this property previously with the intent to make this an outdoor seating area and had already been given permission to do so. Bill Cole then brought up Delong's, located at 201 N. Mill Street in Pontiac, IL, and raised concern about the differences between the two restaurants, stating that there is an unfairness of Delong's being able to go through with an outside seating area and David's having to go through the Board. Alan Schrock stated that Delong's had been given a License Agreement to be on the City's Right of Way through a previous mayor. Bill Cole then expressed concern over the possibility of a patron leaning over the fence to hand alcohol to a passerby, to which Alan Schrock stated that the possibility could happen at Delong's as well as a bar and that there has to be a trust within the community. Bill Abraham then asked if there were any objections from the neighbors, to which Lindsey answered no, and with that, Paul Giordano opened to the public. With no comments from the audience, Pat Martin motioned to move to City Council and with a second from Rick Baier, the vote was passed unanimously. Bill Abraham motioned to adjourn the meeting and with a second from Tim Lewis, the meeting adjourned at 5:01 p.m.

Minutes written and submitted by,

Brittney Miller
Building and Zoning Office