

**City of Marion, Illinois
Zoning Board
Public Hearing Meeting Minutes
Wednesday, January 18, 2023**

Council Chambers
City of Marion City Hall
1102 Tower Square Plaza
Marion, IL 62959

CALL TO ORDER: 5:45 PM

ROLL CALL: Four members present

PRESENT: Bill Nielsen, Tammy Rix, Doug Peebles, Greg Johns - quorum met.

ABSENT: Greg Stettler

STAFF: Tim Stotlar, Building & Codes Director; Kathy Spicer, Office Manager

OTHERS PRESENT: No other city officials were in attendance

APPROVAL OF MINUTES

A motion to approve November 17, 2022, Zoning Board meeting minutes was made by Bill Nielsen. Seconded by Greg Johns. Aye vote to approve motion among board members was unanimous.

PUBLIC HEARINGS

Permit# 202201841: A petition has been submitted by Ms. Tammy Castellano - representing Castellano Properties LLC - requesting a zoning change in classification for a property located at 1801 E. Main St. Marion, IL, PIN 07-20-201-003, from C-1 General Commercial to R-2 General Family Residential.

Permit# 202201841: A petition has been submitted by Ms. Tammy Castellano - representing Castellano Properties LLC - requesting a zoning change in classification for a property located at PIN 07-20-200-003 (there is no current formal address) from R-A Rural Agriculture to R-2 General Family Residential.

PETITIONER COMMENT

Ms. Tammy Castellano is a member of Castellano Properties LLC. She alone represented Castellano Properties LLC and two silent financial partners in addressing the attending general public and the members of the zoning board. No members, other than Ms. Castellano of the development group, were in attendance.

Ms. Castellano said that she is looking to have both lot classifications changed to R-2 General Family Residential so that her LLC can proceed with developing either a 60-to-70-unit

apartment complex or possibly a subdivision of small, single family homes at the location. The target value of each the homes to be built, if that option were to be chosen, would be \$150,000 to \$200,000. She would not commit as to whether houses or apartments would be built at this time. She said that construction of the development would probably take 2 years to complete.

COMMUNITY COMMENT

Mr. J. Mark Williams commented that he currently lives at 107 Valentine Lane. His back yard abuts to the west boundary of the lots being discussed. He would rather not see apartments immediately behind his home. He was concerned about what type of tenants would be housed in the apartments and about the probable degradation of his current home value. Mr. Williams would not be as concerned if homes were being built.

He said that the previous owner of the lot was reluctant to keep the grass mowed. He also said that water tends to pool on the property and that mowing in the spring is delayed because of said water. Ms. Castellano said that a detention pond would possibly be constructed at the south end of the property. She said that a formal stormwater runoff plan had not yet been completed.

Mr. Williams also expressed concern about the increase in traffic a development of up to 70 apartments could generate for Main Street.

Ms. Rosalie Norris lives at 1715 E. Main and the east side of her home lot also abuts the property being discussed. She strongly emphasized that she would want some sort of privacy fence to be installed between her lot and the two lots being discussed. She asked Ms. Castellano if she would be receptive to paying for the construction said fence. Ms. Castellano said that her group would have to consider the possible cost before making such a commitment and that she would be more receptive to possibly planting a row of trees instead.

Ms. Norris mentioned that she sees that a fence had been erected between a large apartment development currently being built off of Norman Road in Marion and the adjacent preexisting, single family homes and that she had heard that the city of Marion had paid for the construction.

She also expressed concern about how the new development would be maintained in the long run. She said in her view, people that own rather than rent their homes seem to be more motivated to take better care of them.

Mr. Robert Chitty lives at 105 Valentine Lane. The back yard of his property also abuts the west boundary of the lots being discussed. He said that a row of trees would take years to grow tall enough to block the development view. He would rather not have apartments behind his home. He would rather a fence of a uniform style and color be erected across the entire lot west boundary, especially if apartments were built. A covenant describing an acceptable fence structure could be set up for the subdivision if single family homes were being built.

Mr. Dennis Blankenship lives at 1800 E. Main St., across from the north boundary of the lots being discussed. He said that a couple of his neighbors had asked for him to speak for them. They are opposed to the construction of apartments but don't object to the construction of homes. He said that he also has concerns about apartments.

Mr. Blankenship said that in the past, there have been problems with water pressure being noticeably low at homes in the neighborhood and that the development might possibly add to

the problem. Mr. Tim Stotlar, Building & Codes Director, said that the construction of the new water tower east of town would help in resolving this problem.

Mr. Blankenship also agrees with Mr. Williams in that in the past, there have been problems with stormwater drainage from the lots being considered.

BOARD COMMENT

Mr. Doug Peebles asked Mr. Stotlar and Ms. Spicer about clarification as to what sort of residences could be constructed on a lot zoned as C1 General Commercial and a lot zoned as R-A Agriculture. Ms. Spicer said that multi-family homes could be erected on a commercial site with an approved variance but not single-family homes. She also said that single family homes could be built on an R-A Agriculture site.

Ms. Tammy Rix asked the community members to rate on a scale of 1 to 10, how they would rate their strength of disapproval of the construction of apartments. All members emphatically chose the number 10. They did express that they would be less reluctant about single family houses.

Finally, members of the zoning board expressed appreciation for the community member input relating to this hearing - which had been postponed due to a lack of zoning board quorum on two prior dates. These same community members had appeared for all three of the hearing dates.

MOTIONS

Board member Bill Nielsen proposed a motion with respect to **Permit# 202201841** and the petitioner's submittals that the request made by Ms. Tammy Castellano - representing Castellano Properties LLC - seeking a change in zoning at 1801 E. Main St., Marion, IL, PIN 07-20-201-003 from C-1 General Commercial to R-2 General Family Residential be **approved**.

Motion to approve **Permit# 202201841** seconded by Doug Peebles

AYE: Bill Nielsen, Doug Peebles

NAY: Tammy Rix

ABSTAIN: Greg Johns

Motion to approve **Permit# 202201841 not passed**. Vote: 2 Yay, 1 Nay, 1 Abstain

Board member Bill Nielsen proposed a motion with respect to **Permit# 202201841** and the petitioner's submittals that the request made by Ms. Tammy Castellano - representing Castellano Properties LLC - seeking a change in zoning at PIN 07-20-200-003 from R-A Agriculture to R-2 General Family Residential be **approved**.

Motion to approve **Permit# 202201841** seconded by Doug Peebles

AYE: Bill Nielsen, Doug Peebles,

NAY: Tammy Rix

ABSTAIN: Greg Johns

Motion to approve **Permit# 202201841 not passed**. Vote: 2 Yay, 1 Nay, 1 Abstain

MOTION TO ADJOURN

The meeting was adjourned at 6:20 PM upon motion made by board member Tammy Rix
Second to motion by Doug Peebles

AYE: Board members Greg Johns, Tammy Rix, Bill Nielsen, Doug Peebles

NAY: None

Motion to adjourn **passed**. Vote: 4-0.

Attachments submitted to zoning board members prior to meeting included:

- Letter dated 01/03/2023 to zoning board members announcing the hearing.
- Agenda for January 18, 2023, Marion Zoning Board Meeting
- Zoning Change, Variance, Special Use Application completed by Ms. Tammy Castellano
- Rough drawing (no measurements or elevations) of the proposed apartment development - drawn by Mr. Dane Castellano
- Property address, parcel number and requested change for the 07-20-201-003 lot noted on a note pad page.
- Draft copy version of Thursday, November 17, 2022, zoning board public meeting minutes
- Copy of Corporation Warranty Deed to Castellano Properties LLC