

**Minutes to the City of Wilmington**  
**Planning and Zoning Commission Meeting**  
**Wilmington City Hall**  
**1165 South Water Street**  
**Thursday, April 2, 2019 at 5:00 PM**

**Call to Order**

The April 2, 2020 meeting of the Wilmington Planning & Zoning Commission was called to order at 5:10 p.m. by Commission Chairman Bryan Humphries.

Chairman Humphries announced that this evenings' Planning & Zoning meeting is being held remotely using a video and audio recording program consistent with Executive Order 2020-07 which was ordered by Governor Pritzker on March 16, 2020 in response to the COVID-19 pandemic. This order addresses the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body. Specifically, (1) the requirement in 5 ILCS 120/2.01 that "members of a public body must be physically present" is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended. More importantly, based on what we know now about the coronavirus pandemic and prudent precautions as a result thereof, this meeting is being conducted in ways to provide the maximum amount of protection to our board, staff and the community. We apologize for any inconvenience to anyone, but we ask for understanding and compliance temporarily. Thank you.

**Roll Call**

Upon Roll Call by the Clerk the following members answered "Here" or "Present":

Commissioners Humphries, Kulpa, Jones, Clennon, Smith and Tryner

**Commissioner's Absent**

Walinski

**Quorum**

There being a sufficient number of members of the corporate authorities in attendance to constitute a quorum, the meeting was declared in order.

**Other Officials in Attendance**

Also, in attendance was the Deputy City Clerk/City Administrator Joie Ziller and City Planner/Engineer Rodney Tonelli

**Approval of Minutes**

Commissioner Tryner made a motion and Commissioner Jones seconded to approve the December 5, 2020 meeting minutes as written and have them placed on file after amendment is made

Upon roll call, the vote was:

**AYES:**        5 Jones, Kulpa, Clennon, Smith, Humphries

**NAYS:**        0

**ABSTAIN:** 1 Tryner  
**ABSENT:** 1 Walinski  
Motion passed.

### **Public Hearing**

Petitioner: Gary & Jacqueline Van Duyne  
Location: Pearl Street & Oak Street  
[PIN 03-17-36-127-007-0000]  
Request: two (2) front setback variance from 30 feet to 20 feet and a rear property setback variance from 25 feet to 15 feet for property located at the northwest corner of Pearl Street and Oak Street

Commissioner Kulpa made a motion and Commissioner Smith seconded to open the public hearing at 5:13 p.m.

Upon roll call, the vote was:

**AYES:** 6 Kulpa, Smith, Clennon, Jones, Tryner, Humphries  
**NAYS:** 0  
**ABSENT:** 1 Walinski  
Motion passed.

Petitioner Gary Van Duyne explained to the Commission that he is interested in purchasing the lot from his cousin and he would like to have the front of the house facing Oak Street. Gary Van Duyne is requesting for setback variances to increase the buildable area on the vacant lot.

City Planner Rodney Tonelli reviewed the memorandum (attached) he prepared for the Commission.

Commissioner Clennon made a motion and Commissioner Tryner seconded to close the public hearing at 5:22 p.m.

Upon roll call, the vote was:

**AYES:** 6 Clennon, Tyner, Smith, Kulpa, Jones, Humphries  
**NAYS:** 0  
**ABSENT:** 1 Walinski  
Motion passed.

### **Commissioners Review/Approval/Recommendation**

The Commissioners at this time agreed to table their recommendation rather than deny the petitioner's request. Based on the facts that the request does not meet the standards for variances as outlined in Section 150.12 of the Code of Ordinances. Specifically, strict enforcement of the ordinances is not deemed to create practical difficulties or impose exceptional hardship; the property in question can yield a reasonable return under the conditions allowed in the R-1 zoning district; the plight of the owner is not unique and their request is deemed a matter of preference only; and the variance if granted would alter the character of the area. The Commission has

instructed Gary Van Duyne to provide them with a set of plans of the exact house he would like to build so they can see how it is going to fit on the lot.

**Public Hearing**

Petitioner: Brian Van Duyne  
Location: 1212 N. Joliet Street  
[PIN 03-17-25-104-013-0000]  
Request: map amendment from R2-single family to R3-residential two family and a variance from required 12,000 square foot lot size to 7,300 square foot lot size for property located at 1212 N. Joliet Street

Commissioner Smith made a motion and Commissioner Kulpa seconded to open the public hearing at 5:55 p.m.

Upon roll call, the vote was:

**AYES:** 6 Smith, Kulpa, Clennon, Tryner, Jones, Humphries

**NAYS:** 0

**ABSENT:** 1 Walinski

Motion passed.

Petitioner, Brian Van Duyne explained to the Commission his plan to build a single-story duplex on the property. Brian Van Duyne is requesting the property to be re-zoned to R-3 Two-Family Residential and a variance for lot area from 12,000 square feet to 7,300 square feet.

City Planner Rodney Tonelli reviewed the memorandum (attached) he prepared for the Commission.

Commissioner Tryner made a motion and Commissioner Clennon seconded to close the public hearing at 5:59 p.m.

Upon roll call, the vote was:

**AYES:** 6 Tryner, Clennon, Smith, Kulpa, Jones, Humphries

**NAYS:** 0

**ABSENT:** 1 Walinski

Motion passed.

**Commissioners Review/Approval/Recommendation**

Commissioner Jones made a motion and Commissioner Clennon seconded for the Commission to recommend to the City Council to approve the Map Amendment from R-2 to R-3 and a Variance for lot area from 12,000 square feet to 7,300 square feet. The map amendment is consistent with surrounding zoning, surrounding uses and the trend of use in the area. The rezoning is not deemed to have any significant detrimental effect on adjacent properties and can be appropriately served with existing public facilities. The variance for lot area is unique in that the existing lot size cannot be altered and it is consistent with other similarly zoned lots in the area.

Upon roll call, the vote was:

**AYES:**     6   Kulpa, Smith, Clennon, Jones, Tryner, Humphries

**NAYS:**     0

**ABSENT:**  1   Walinski

Motion passed.


**Public Comment**

No public comment was made.

**Adjournment**

Motion to adjourn the meeting made by Commissioner Tryner and seconded by Commissioner Clennon. Upon voice vote, the motion carried. The Wilmington Planning & Zoning meeting held on April 2, 2020 adjourned at 6:04 p.m.

Respectfully submitted,

A handwritten signature in black ink that reads "Joie Ziller". The signature is written in a cursive style with a large loop at the beginning.

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Joie Ziller  
Deputy City Clerk