

Village of Rockdale
Zoning Board of Appeals
Zoning Board of Appeals Meeting Minutes
October 4, 2022

Meeting for Application of James and Marsha Delach to rezone the property at 204 S Midland Avenue in the Village of Rockdale from Rockdale Business (B) to Rockdale Two Family Residential (R2) pursuant to Sections 90-32 and 90-114 of the Rockdale Village Code.

I. Call to order

Zoning Board Chairperson Ms. Sue Polesel called the meeting of the Rockdale Zoning Board to order at 6:00 PM on October 4, 2022, at the Village Municipal Building, 79 Moen Ave, Rockdale, Illinois.

II. Roll call

Following the pledge of allegiance, Chairperson Ms. Polesel conducted roll call. The following persons were present: Gary Califello, Mike Hutten, Doug Shetina, Francisco Villafuerte, Darryl Magolan and Maryann Jungles. James and Marsha Delach were present along with their attorney, Don Gould. Assistant Village Clerk Dawn Pirc was present. Village Attorney Mike Stiff was on speakerphone due to a traffic accident on I-80.

III. Approval of Previous Minutes

ZBA Chairperson Ms. Polesel asked for a motion to approve the previous ZBA Meeting Minutes from August 2, 2022. Mr. Hutten made the Motion to accept with a Second by Mr. Villafuerte. Motion carried 6 ayes, 0 nays, 0 absent and 0 abstain.

IV. New Business

Chairperson Ms. Polesel went to the next item on the agenda which was the swearing in of Zoning Board Member Doug Shetina for another 5-year term. Assistant Village Clerk Mrs. Pirc administered the oath the Mr. Shetina.

A motion to open the public hearing was made by Mr. Villafuerte with a second by Mr. Shetina. Motion carried 6 ayes, 0 nays, 0 absent and 0 abstaining. The Public Hearing was opened at 6:02 p.m.

The application of James Delach and Marsha Delach is for a map amendment which would rezone their property located at 204 S Midland Avenue in the Village of Rockdale from Rockdale Business to Rockdale Two-Family Residential pursuant to Sections 90-32 and 90-114 of the Rockdale Village Code.

Mr. Stiff presented a brief overview of the application. The property has been used as a duplex residence for many years even though it is zoned Business. Ordinance 1010 which was passed in 2015 added language which would allow any duplex or multi-family use in existence at the time the amendment took effect to be re-zoned to the appropriate R Zone. Therefore, there really is no discretion for the ZBA to recommend denial since the Village Board will be mandated by Ordinance 1010 to grant the application and re-zone the property.

Mr. Stiff asked for one of the applicants to be sworn in. Assistant Clerk Pirc swore in Mr. James Delach. Mr. Gould asked Mr. Delach to speak about the property. Mr. Delach explained the property has been in his family for many years prior to 2015. The property has always been used as a two-unit. Mr. Delach's family lived in either the upper or lower unit at any given time.

The property is currently on the market but no one is able to get a loan as it is currently zoned for business. Mr. Stiff explained the publication of the Notice of Public Hearing was placed in the Joliet Herald-News on September 14, 2022 and the application file is in order.

Notices were sent out by the applicants. The Village Clerk's office posted signs where required. Mr. Mike Literski was present but did not wish to speak for or against the rezoning. Mr. Hutten asked about the how this property was maintained as a two-unit. Mr. Delach explained there is no interior staircase to enter the second floor. Both units have a bathroom and kitchen. Each unit has its own water and gas meters.

Mr. Stiff asked if there were any further questions. There being none, Ms. Polesel asked for a motion to close the public hearing. Motion was made by Mr. Hutten to close the meeting with a second by Mr. Shetina. Public Hearing was closed at 6:20 PM. Motion carried 6 ayes, 0 nays, 0 absent and 0 abstain.

Chairperson Polesel stated if there were no other questions, a motion would be in order to recommend or deny the change in zoning from B to a R2. Motion was made by Mr. Hutten to recommend approval of the change of zoning from B to R2 with a second by Mr. Shetina. Motion carried 6 ayes, 0 nays, 0 absent and 0 abstain.

Ms. Polesel advised that the ZBA is a recommending body and that the recommendation for approval of the application would be presented to the Village Board at its meeting tonight at 7 PM.

Mr. Stiff asked if the person in the gallery would like to make public comment. Mr. Literski declined.

Ms. Polesel asked for a motion to adjourn. Mr. Hutten made the motion with a second by Mr. Villafuerte. Motion carried 6 ayes, 0 nays, 0 absent and 0 abstain. Meeting adjourned at 6:22 PM.