

Village of Beecher
625 Dixie Highway
PO Box 1154
Beecher, Illinois 60401
Phone: 708-946-2261
Fax: 708-946-3764
www.villageofbeecher.org



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MEETING OF THE BEECHER PLANNING AND ZONING COMMISSION
(THE PZC)

Wednesday, September 29, 2021 at 7:00 p.m.
Beecher Village Hall
625 Dixie Highway

I. PLEDGE TO THE FLAG

II. ROLL CALL

III. CONSIDER APPROVAL OF THE MINUTES OF THE JULY 28TH MEETING.

IV. ADMINISTRATIVE HEARING: CONSIDER A REQUEST FOR AN APPEAL TO THE BEECHER BUILDING CODE PERTAINING TO THE REQUIREMENT FOR SPRINKLERS AT 610 GOULD STREET: WILHELM SALMEN. Mr. Salmen purchased the old Teapots building at 610 Gould Street and designed a breezeway connecting this building to Sit-N-Bull at 614 Gould Street so a dining area could be created away from the sports bar atmosphere. In 2018, Mike Stanula designed the remodeling of this building and a meeting was held to review his prints in early 2019. In attendance at that meeting was former President Greg Szymanski, Robert Barber, Thomas Pahnke and Jennifer Murray, the Beecher Fire Inspector at that time. We cannot recall if Fire Chief Joe Faleschetti was at that meeting. At that time no one mentioned that the design did not meet code but Mr. Stanula was advised to apply for a building permit when Mr. Salmen was ready to start. In a previous conversation with Mr. Salmen he was advised no fees would be charged for the permit since the Village Board was waiving all fees in the historic downtown.

In early 2021 the new Fire Inspector, Eric Davidson, stopped by and observed construction occurring inside the building. He called the Village to inform us of the activity and the Village advised Mr. Salmen he needed to obtain a building permit. He claimed he was under the impression he did not need a permit because there was no fee to pay. However, a permit is still required for a plan review and to trigger the inspection process. The blueprints were submitted and Safebuilt (the Village's inspection and plan review service) and the Fire District began the review process.

In May of 2021 the Fire District determined that the building needed sprinklers due to the buildings being attached, the type of use, and the square footage involved. A meeting occurred on the property with the Village, the architect, the owner, and the Fire District, in hopes of clarifying the issue. However, there was major disagreement between the Fire District and the architect over the definition of a 2 hour fire rating in lieu of sprinklers. Safebuilt demanded more information from the architect after its first review and there were many exchanges of information back and forth between the architect, Safebuilt and the Fire District over a period of about four months. After the second plan review, the Fire District recommended sprinklers and Gerald Keys, the Master Code official who conducted the plan review for Safebuilt determined

that the blueprints as presented did not meet the minimum 2 hour fire rating. This determination is slightly different since it left the door open for the architect to submit additional design work that would meet the 2 hour rating in lieu of sprinklers. However, the Village received an appeal of these rulings in the enclosed letter received September 14, 2021.

The Village Code states that the Beecher Planning and Zoning Commission shall have the final say on any appeal to the Beecher building code. Therefore, this meeting should be considered an administrative hearing and not a public hearing. The Chairman reserves the right to call or not call witnesses and to permit questions and answers. No one in the audience is allowed to speak unless the Chair recognizes them. The Chair also reserves the right to cut off testimony, interrupt with questions or recognize someone else during testimony. Members of the audience can also ask to present documents but only the chair shall permit the sharing of documents.

Staff is not making a recommendation on this matter since it is not qualified to do so. However, staff can recommend a process by which the hearing can effectively occur. First, the petitioner and his architect should be allowed to address the commission. Then the commission should hear from a representative of Safebuilt as to their position. Then the Fire District should be allowed to present their case for sprinklers. Following the presentation of all three sides, the commission can ask questions and provide comments. Then deliberation occurs. The three options are: rule in favor of the Safebuilt plan review comments; rule in favor of the appeal and not require sprinklers, or defer the decision to the next meeting in order to obtain more information. The decision of the Planning and Zoning Commission is final.

VI. CONSIDER THE APPOINTMENT OF A CHAIRMAN AND VICE-CHARIMAN OF THE COMMISSION FOR THE COMING YEAR.

VII. UPDATES ON PROJECTS IN TOWN

VIII. NEW BUSINESS

IX. ADJOURNMENT - NEXT MEETING SCHEDULED FOR THURSDAY, OCTOBER 28TH AT 7:00 P.M.