AGENDA

July 27, 2015 – 7:00 p.m.

CALL TO ORDER – ZONING BOARD OF APPEALS

ROLL CALL for the Zoning Board of Appeals: Randy Mohr (Chair); Scott Cherry, Karen Clementi, Tom LeCuyer, Donna McKay, Dick Thompson and Dick Whitfield

MINUTES: Approval of minutes from the June 29, 2015 Zoning Board of Appeals meeting

PETITIONS:

1. 15-13 Gary Kritzberg
Request: Variance from front yard setback for a garage
Location: 1211 Game Farm Road, Yorkville
Purpose: To construct a garage in the front yard

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD

NEW BUSINESS/ OLD BUSINESS

PUBLIC COMMENT

ADJOURN ZONING BOARD OF APPEALS- Next meeting on August 31, 2015
CALL TO ORDER
At 7:00 p.m., Chairman Randy Mohr called the Zoning Board of Appeals meeting to order.

ROLL CALL
Members present: Randy Mohr (Chairman), Scott Cherry, Karen Clementi, Tom LeCuyer (arrived at 7:20), Donna McKay (Vice-Chair) and Dick Thompson
Members absent: Dick Whitfield
Also present was: Mike Hoffman-Teska Associates, Inc.
In the audience: Frank Schmalz, John Rice, Jim Williams, James Ort

MINUTES
Mr. Mohr asked if there were any corrections to the minutes. Ms. Clementi stated that she did not make the motion on approval of zoning on Petition #15-06 Village of Millbrook/Keller as she voted no. Ms. McKay stated she made the motion. Motion to approve April 27, 2015 minutes as corrected by Scott Cherry, seconded by Karen Clementi. Approved 4-0.

PETITIONS

1. 15-10 Frank Schmalz
Request: Variance
Location: 23 Old Post Road, Montgomery
Purpose: Request for a variance to allow a trailer to be parked in the front yard setback (missed the cut of to register them back in 2006)

Mr. Hoffman stated that Mr. Schmalz is requesting a variance to allow a trailer to be parked in the front yard at 23 Old Post Road. It has been there since about 1995. In 2006 the County amended zoning ordinance to not allow trailers in the front yard; however, an owner could apply for exemptions prior to 2006. This was only for the original property owner. Mr. Schmalz was not aware of the exemption and therefore did not apply.

Kendall County Planning, Building, and Zoning has been out to the property. There is some rationale to Mr. Schmalz’ request as there is some slope to the property and it would be difficult to relocated the trailer behind the setback line. Mr. Hoffman stated that staff recommends approval. Mr. Hoffman stated that instead of a variance to the original setback, that a variance to the exemption regulation is recommended. This would mean that a new owner would not be allowed to have a trailer in the front yard unless a new variance was granted. Also, there is a letter on file from adjacent property in support of the requested variance.
Mr. Cherry asked the original intent of the variance. Mr. Hoffman stated that it was a grandfather clause. Ms. Clementi went to examine the property and the property owner allowed her to enter the property. She stated that the pictures of the property did not represent the entire situation well as there is a severe drop-off that limits the position of the trailer. She also stated that the neighbor has a trailer in the front yard, and it is common in that area.

Mr. Hoffman stated that he drove by as well and saw the adjacent trailer. He spoke to Brian Holdiman, the County Code Official, who said that citations are given on a complaint basis and there have been complaints regarding Mr. Schmalz’s trailer, but not the adjacent trailer. The Zoning Board of Appeals discussed the prevalence trailers and the variances, and the small number of complaints received. The Board discussed the different requirements that could be placed on the variance.

Chairman Mohr opened the meeting for public testimony. Chairman Mohr swore in anyone interested in talking at this meeting.

Frank Schmalz, the petitioner, of 23 Old Post Road in Montgomery spoke first. Ms. McKay asked him if the trailer has been the same one for the entire twenty years. He answered in the negative. She asked if it was larger. He said it was very similar to previous trailers. She asked the purpose of the trailer. He answered it was used for business purposes in his employment with Aurora Bearing. Chairman Mohr asked if the Mr. Schmalz would accept conditions for only a singular trailer of the same size. Mr. Schmalz replied in the affirmative. Chairman Mohr also reiterated that the variance would not transfer. Mr. Schmalz stated he understood. Mr. Schmalz also entered into record another letter from a neighbor in support.

Mr. Hoffman read for the record a letter from Gabrielle Torres of 21 Old Post Road. It states the acknowledgement of the meeting and states her lack of objection to the variance.

John Rise of 26 Old Post Road spoke next. Mr. Rise stated that in his observations the trailer has not moved. He expressed concern as he has heard other neighbors’ state that the trailer has affected appraisals on their home when trying to sell or refinance. He also stated another neighbor had the same issue but instead moved the trailer. He stated that Mr. Schmalz does not keep up around the trailer and that he wishes the property would be better maintained. Chairman Mohr asked if when Mr. Rise moved in if the trailer was there. Mr. Rise stated it was but it has not moved for a couple of years.

Jim Williams of 64 Old Post Road. He stated that he has lived in Boulder Hill for thirty-eight years since he was a sophomore in high school in 1961 when he was a young man. He stated after the collapse the Boulder Hill Civic Association that there has not been an overseeing body in Boulder Hill. He knows Mr. Holdiman as he has made complaints before. He stated that it takes many complaints and a long time to get property cleaned up. He stated that Mr. Schmalz has an inoperable vehicle in addition to the trailer. He also stated other neighbors in the similar
situation have been able to move their trailers out of the front yard. He continued to say Boulder Hill appearance has been in decline for years. He stated he did not know how far he could make a complaint. He was told that if he lived in the County that he could make a complaint. Chairman Mohr stated that he was on the Planning Committee when the ordinance regulating trailers was passed, and Boulder Hill has been a challenge. Mr. Williams stated he has been cited himself in 1989 and that he cleaned up his property.

Chairman Mohr asked Mr. Schmalz if the trailer was licensed currently. Mr. Schmalz answered in the negative due to the inoperability of the truck. Mr Schmalz noted that he was waiting on parts to be able to complete the repair of the truck’s transmission. Chairman Mohr explained that the inoperable vehicle was a violation also. Mr. Schmalz stated he had the renewal but Chairman Mohr stated he needed it to be licensed.

James Ort of 19 Cayman Drive. He has lived there since 1974. He stated that he often walked past Mr. Schamlz’ property for years. Not currently, but in previous years the property was in state of disorder; so much so they had to cross into the street when walking. Mr. Ort stated that he was not in favor of the variance as it would negatively affect property values and quality of life.

Chairman Mohr stated that the issue was not just looking at what was best for Boulder Hill, but also for the County as a whole. Any decision made in terms of the subdivision would be applied to all of unincorporated Kendall County.

Ms. McKay asked for clarification on the number of vehicles and their operability at the same property. Mr. Schmalz stated that the truck was not operable, but the vans were. Ms. McKay stated that there were now two issues, the inoperable truck and the unlicensed trailer in the front yard.

Chairman Mohr stated that he was closing the meeting to further public testimony.

Ms. McKay noted there seemed to be more issues than the trailer that may need to be addressed in the future. Chairman Mohr stated that the Board may have other options but that they were to decide on the issue of the trailer. Mr. Hoffman clarified some points of ordinance for the committee.

Chairman Mohr reviewed the findings of fact:
1. That the particular physical surroundings, shape, or topographical conditions specific to the property would result in a particular hardship or practical difficulty on the owner if the strict letter of the regulations were carried out. Ms. Clementi made the motion to approve. Mr. Thompson seconded. Approved 6-0.
2. That the condition upon the requested variances is based would not be applicable generally to other property within the same zoning classification. Ms. McKay made the motion to approve. Mr. LeCuyer seconded. Approved 6-0.
3. That the alleged hardship or difficulty has not been created by any person presently having an interest in the property. Ms. Clementi made the motion to approve. Mr. Cherry seconded. **Approved 5-1. Member Scott Cherry voting nay.**

4. That the granting of the variation will not materially be detrimental to the public welfare, or substantially injurious to other property or improvements in the neighborhood in which the property is located. Ms. McKay made the motion to approve. Mr. Thompson seconded. **Declined 5-1. Member Dick Thompson voting aye.**
   a. The Board found that it is detrimental to property values based on testimony.

5. That the proposed variation will not impair adequate supply of light or air to the adjacent property, or substantially increase the congestion of the public street, or increase the danger of fire, or endanger the public safety, or substantially diminish or impair property values in the neighborhood. Ms. McKay made the motion to approve. Ms. Clementi seconded. **Declined 5-1. Member Dick Thompson voting aye.**
   a. The Board found that it does impair property values in the neighborhood

Chairman Mohr asked for a motion for approval. Ms. Clementi moved to approve the variance with the following conditions: limited to one trailer in the front yard setback; that he is allowed to replace with in-kind; must be operable and licensed; and the pad must be maintained. Mr. Thompson seconded. **Tie: 3-3. Members Dick Thompson, Karen Clementi, Donna McKay voting in favor, Chairman Randy Mohr, Scott Cherry, Dick Thompson voting no.** Request is denied.

**REVIEW PBZ APPROVALS BY COUNTY BOARD & CHANGES** –

1. Nancy Austin case in Platteville. Platteville annexed the property to the far side of the road after coming to an agreement with the township
2. Subdivision control regulations was approved
3. **14-37 Home Occupations - Landscape Businesses:** County Board had previously sent it back to Planning, Building, and Zoning Committee for revisions. PBZ sent it back to the County Board. It ended in a tie vote, effectively not passing.

**NEW BUSINESS/OLD BUSINESS** -

Garage variance coming next month on Game Farm Road. Variance is for location of garage due to topography.

**PUBLIC COMMENT** - There were no additional comments by members in the audience.

**ADJOURNMENT OF THE ZONING BOARD OF APPEALS** - Next meeting will be on July 27, 2015. Mr. Cherry made a motion to adjourn the ZBA meeting, Ms. McKay seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 8:12 p.m.

Respectfully Submitted,

Andrez P. Beltran
Economic Development and Special Projects Coordinator
PETITIONER: Gary Kritzberg
ADDRESS: 1211 Game Farm Road, Yorkville
LOCATION: Bristol
PARCEL #: 02-29-276-010
LOT SIZE: 3.675 acres
EXITING LAND USE: Single Family Home
ZONING: A-1 Agricultural District

**LRMP**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Suburban Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Game Farm Road is currently under construction, with a 3 lane cross section planned in front of this home</td>
</tr>
<tr>
<td>Trails</td>
<td>A trail was recently constructed on the east side of Game Farm Road. No sidewalk exists on the west side of the street.</td>
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REQUESTED ACTION
Request for a variance to allow a garage within the front yard setback. Required setback is 50’, request is to reduce the setback to 6’ from R.O.W. to accommodate the garage.

APPLICABLE REGULATION
Section 5.15B – Development of Non-Conforming Lots – notes that the R2 setback requirements apply to single family homes in the A-1 District if they were constructed prior to the adoption of the ordinance – which is the case for this property.

Section 8.07.E. – R2 Yard Areas, which requires a 50’ front yard.
Section 13.04 – Variation procedures and requirements

SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Single Family Residential</td>
<td>A-1</td>
<td>Suburban Residential with Natural Resource Overlay</td>
</tr>
<tr>
<td>South</td>
<td>Single Family Residential</td>
<td>A-1 and R3</td>
<td>Suburban Residential</td>
</tr>
<tr>
<td>East</td>
<td>3 Single Family Residence Homes, RR</td>
<td>R2 and Office in Yorkville</td>
<td>Urbanized Area (Yorkville)</td>
</tr>
<tr>
<td></td>
<td>Drywall &amp; Painting, Hillside Nursing &amp; Rehab</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West</td>
<td>Open Space (Blackberry Creek Flood Plain)</td>
<td>A-1</td>
<td>Suburban Residential with Natural Resource Overlay</td>
</tr>
</tbody>
</table>

GENERAL
The normal building setback in the A-1 District is 100’ from the right-of-way. However, Section 5.15B of the zoning ordinance notes that “a lot which was established in an agricultural district by recorded deed or is part of an approved plat of subdivision, or was otherwise legally established on or before the adoption of this amendatory ordinance, may be used for single family residence purposes provided that the yard requirements of the R-2 District are complied with. That is the case her, so the 50’ front setback in the R-2 District is the relevant setback.

While this property was platted to the centerline of Game Farm Road originally, the City of Yorkville recently acquired 36’ of right-of-way in front of Mr. Kritzberg’s home to accommodate roadway improvements. The City is nearing completion of this improvement, which includes a 3-lane cross section with curbs and a bike path on the east side of the street. No sidewalk exists on the west side (Kritzberg) side of the street, and according to the property owners no sidewalk is planned given topography and the fact that a wider bike path was constructed on the east side of the street.

The proposed garage location is approximately 6’ from the newly acquired Game Farm Road right-of-way. The applicant has roped off the proposed location to provide a better idea of the desired location. The photograph on the following page shows the proposed location, which is generally parallel to the slope and an existing tree line. As shown in the photograph, the garage would be setback from the top of the slope, consistent with a suggestion made at ZPAC. The garage door would face the existing house and drive. While no specific architectural plans have been provided, the property owner has described the proposed garage as a coach house –type structure designed to blend with the existing home. The structure will be designed as a flexible space, which can be used for indoor play activities or crafts, as well as the storage of a vehicle in winter. The approximately size of the garage will be 14’ x 24’. No indoor plumbing of any kind is planned.

As can be seen from the air photograph, neighboring homes and garages typically have less than the 50’ setback required for this property. The home immediately to the south appears to have a 25’ setback, and homes across the street in Yorkville have setbacks ranging from 35’ to 40’.

While a large property, steep slopes and flood plain (Blackberry Creek) on the north and west sides of the property make much of the lot inappropriate for development. There are two possible locations on the property where staff has discussed locating the garage to avoid the need for a variance. The first is on the south end of the property (labeled “A” on the air photo), where the existing vegetable garden is located. However, the property owner plans to rezone and subdivide off an additional single family lot in this area in the future. We are not sure if this proposed zoning/subdivision will be done with Yorkville or with Kendall County. The second
The option discussed is just south and east of the existing attached garage (labeled “B” on the attached exhibit), near where the existing parking pad is located. Photographs of this area are included below. The concern the owner has with this location is it would require removal of a couple of nice trees and landscape, and the relocation of other existing landscape improvements (perennials and shrubs). Per the owner, there are also buried utilities in this area including electric and cable.

A third alternative, labeled “C” on the air photo, was also discussed with Jo Lett Kritzberg on July 22nd. This location would still be within the 50’ setback, but would require only about a 20’ variance (vs. the 44’ variance requested). Mrs. Kritzberg felt that this alternative would not work well for them as it did not have sufficient depth before the slope to keep the same garage dimensions they have proposed. This location would also require relocation of an existing driveway light. However, from staff’s review it appears this alternative “C” location could potentially work, albeit with a little less depth to the garage and a shorter separation between the existing drive and the doors of the proposed new garage.

Site Air Photo with Topography
Site Photo - Note Rope Showing Proposed Garage Location

Site Photographs of Existing Parking Pad and Extensive Landscaping at Southwest Corner of Garage – image on the left is looking from in front of existing attached garage to the southwest – image to the right is looking west along the south driveway
BRISTOL TWP.  Staff has not received any response from the Township

YORKVILLE  Since the property is generally surrounded by the City of Yorkville, the application was provided to the City for review. Unfortunately, their review of this case will not be until after the scheduled ZBA Public Hearing on July 27th. It is currently scheduled to go to the Yorkville Plan Commission on August 12th, and then to the full City Council on August 25th.

ZPAC  ZPAC reviewed the case on 7/7/15 and was generally comfortable with the variance request provided it was acceptable to the City of Yorkville.

RECOMMENDATION  The proposed front yard setback variation is significant (44’). Staff understands the applicant’s desire for a garage, and the selection of the proposed location given site topography and other site constraints. Like ZPAC, we would give significant wait to comments and feedback from the City of Yorkville since this property is generally surrounded by the City. We would suggest one of the following options:

A. Continue the Hearing until the August 31st ZBA Meeting. At that point, we should have recommendations from the City of Yorkville.

B. Reduce the variance request to 20’ and locate the garage in the vicinity of location “C” on the air photo on page 3 of this report. This would provide for a setback of approximately 30’, which would be within the 25’ to 40’ range of other structures along Game Farm Road.

FINDINGS OF FACT

§ 13.04.2 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are listed below in italics. Staff has provided some preliminary findings in bold below based on our recommendation to modify the request to relocate the proposed garage to location “C” as shown on page 3 of this report and grant a 20’ variation from the required 50’ front yard setback. Depending on additional evidence provided at the public hearing and input from the City of Yorkville, these draft findings may need to be modified.

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The topography of this property limits potential locations of any structure on this property. However, the proposed location within six (6’) feet of the right-of-way would be out of character with the area. Location “C” (shown on page 3 of the staff report) provides an alternative that considers the unique character of the property and reduces the required variation from 44’ to 20’.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. This is a unique property within the County’s A-1 Zoning District, as it is generally surrounded by the City of Yorkville. This location, plus the unique topographic conditions of the property do not exist on most other A-1 zoned property in the County.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. Recent right-of-way acquisition by the City of Yorkville which increased the setback from the original property line (center of the road) was not a hardship created by the owner. Likewise, the current owner had no influence over the unique topography of the site or the placement of the home on the property, but of which limit potential garage locations.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. (Staff is waiting on input from Yorkville, and potentially testimony at the public hearing, before drafting a proposed finding on this criteria)
That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The proposed variation will not impact the supply of light or air to adjacent property. In fact, the applicant has stated that the property owner to the north actually suggested the proposed location. This proposed garage will have no impact on traffic, as it is for a car that is currently stored outdoors on the property. (Staff is waiting on input from Yorkville, and potentially testimony at the public hearing, regarding impact on public safety and impairment of property values.)

ATTACHMENTS
1. Plat of Survey
Planning Consultant Mike Hoffman called the meeting to order at 9:00 a.m.

Present:
Scott Gryder – PBZ Member
Fran Klaas – County Highway Department
Brian Holdiman - Building Inspector
Mike Peters – Sheriff’s Office
Mike Hoffman – County Planning Consultant with Teska Associates, Inc.
David Guritz - Forest Preserve
Megan Andrews – Soil & Water Conservation District

Absent:
Greg Chismark – Wills Burke Kelsey
Aaron Rybski – Health Department

Audience: Rhonda Miller (Strong Tower of Refuge Ministries), Gary and Jo Lett Kritzberg

AGENDA
A motion was made by Fran Klaas, seconded by Megan Andrews to approve the agenda as written. All were in favor and the motion carried.

MINUTES
Fran Klaas made a motion, seconded by David Guritz, to approve the June 2, 2015 meeting minutes as written. The motion was approved 7-0, with Mr. Guritz abstaining.

PETITIONS

#15-11 Rhonda Miller/Strong Tower of Refuge Ministries
Mike Hoffman summarized the request, which is a special use to operate a place of worship in a b3 zoning District. The property is at 81 Boulder Hill Pass. He noted that this is similar to another church which was granted a Special Use to operate in the same shopping center earlier this year. The space proposed for lease is at the far eastern end of the shopping center, nearest to Boulder Hill Pass. He feels that the existing parking should be sufficient for the proposed use. He noted that the shopping center is not considered a prime location, as it is not located on a major roadway and traffic counts are lower than other similar shopping centers. Mr. Hoffman suggested that he was recommending approval.

Rhonda Miller expanded on her request. She noted that her ministry will integrate with other area churches. They are non-denominational. She has lived in Boulder Hill for 16 years, and has always thought this location would be a great multi-purpose building. The facility will be used for a variety of activities throughout the week, including seminars, bible study, like skills classes, and other programs for families. Their goal is to improve relationships, physical and mental wholeness, all in a keeping with principals of God’s kingdom. Scott Gryder asked how many members the church has that would use the facility at one time. Rhonda Miller said 22, with a maximum goal of around 70. David Guritz asked if we were o.k. on parking given the other recently approved church. Brian Holdiman said he felt they were given the 239 spaces that were currently available in the shopping center. Rhonda Miller noted that their time for services would be different than the other church operating in this shopping center. They hope to bring in more business for the existing restaurant. David Guritz asked what the seating capacity was in the facility and Brian Holdiman noted that they were estimating a capacity of 70, but they would need to coordinate with the Fire Protection District to arrive at a specific number. Fran Klaas asked what zoning districts would allow for a place of worship without a special use. Mike Hoffman replied that they would require a special use in all zoning districts.
Scott Gryder moved to forward the petition on through the process, which includes a presentation before the Regional Planning Commission on July 22\(^{rd}\) and a Public Hearing before the Special Use Hearing Officer on July 27\(^{th}\). The motion was seconded by Fran Klaas. The motion was approved 7-0.

**#15-12 Dan Koukol**

Mike Hoffman summarized the request, which is an amendment to an existing Special Use to allow trailers and farm equipment (outdoor sales displays) to be located closer to the front property line. He noted that a fence is currently located along the right-of-way line. Currently, the existing Special Use (Ord. 97-06) requires sales displays to have a 40’ setback from the Route 126 and side property lines. Mr. Koukol is requesting that the setback be reduced to zero for enhanced visibility of his product along Route 126. The request notes that the 40’ setback was originally imposed due to a home that was proposed across the street, but that home was never constructed. Mr. Hoffman is recommending a 10’ setback be maintained, consistent with how other outdoor sales displays are treated in the County’s business districts. He noted this case was driven by a complaint to the department regarding the setback of the outdoor displays, and Mr. Koukol has moved all displays back to the 40’ required setback pending the outcome of this case.

Mike Peters noted that he was concerned about reducing the setback and its impact on public safety. He was concerned with motorist slowing down to look at equipment, or potentially pulling off to the side of the road to look at a piece of equipment. He noted a concern with potential gapers should equipment be located too close to the right-of-way. He did not have a specific minimum setback recommendation, but he felt that 10’ would be too close.

Fran Klaas asked for the definition of outdoor sales, and what other types of items could be placed on the site for sale. Mr. Hoffman noted that the Special Use allows for “farm and lawn equipment sales and services”. He noted that the Kendall County zoning code does not have a definition of outdoor displays. He noted that the County could be more specific with the definition through approval of the special use.

David Guritz moved to forward the petition on through the process with the noted concerns regarding setback from the Sheriff’s office, which includes a presentation before the Regional Planning Commission on July 22\(^{nd}\) and a Public Hearing before the Special Use Hearing Officer on July 27\(^{th}\). The motion was seconded by Fran Klaas. The motion was approved 5-0, with Scott Gryder and Fran Klaas voting present.

**#15-13 Gary Kritzberg**

Mike Hoffman summarized the case, which is a request for a front yard setback variance request to allow a garage to be constructed closer than the required 50’ setback along Game Farm Road. Mr. Hoffman noted that the property is surrounded by the City of Yorkville. He noted that the property is heavily wooded, and has significant slopes along the north and west sides of the property sloping towards Blackberry Creek. He noted that two alternative locations for locating the garage outside of the required setback were discussed with the applicant. Suggested location “A” was not desired by the applicant as they plan to split off another lot in that location. Suggested location “B” was not desired by the applicant given existing landscaping. Fran Klaas asked what the setback would be if the property were annexed into Yorkville, particularly given the reduced setback of other structures visible from the air photo on properties in Yorkville. Mr. Hoffman replied that he would need to confirm surrounding setbacks with the City, but that typically municipal setbacks are in the range of 30’.

Gary Kritzberg introduced himself and noted that the garage will primarily be used as a craft room or play room, but may be used for a car in winter. It will have more of a coach house appearance, and will be designed to be similar in appearance. He noted the proposed location is tucked away in the trees, and choose the proposed location to fit with the existing landscape, and that the proposed location would not block any views or sightlines. He felt this is the only location on the site where he would build on. He stated that he was not in favor of either alternative location suggested by staff. In particular, he added that power lines and cable television lines are located where staff had suggested alternative “B” adjacent to the existing garage. Mr. Hoffman asked if the garage would have a bathroom, and Mr. Kritzberg suggested it would not – and that it would be more like a three season room.
Fran Klaas noted that given the recent roadway improvements on Game Farm Road and the surroundings, the proposed location was probably o.k. However, he recommended checking with the City of Yorkville, and suggested deferring to their recommendation.

Megan Andrews noted that if approved, the garage should be located back from the top of the slope. Brian Holdiman noted that the proposed location was located back from the top of the slope, and is staked out to allow for an appropriate setback from the slope.

Fran Klaas, seconded by Scott Gryder, recommended to move the petition on for a public hearing before the ZBA on July 27th, with a recommendation of support provided Yorkville was o.k. with the proposed variation.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD
14-37 Home Occupations – Landscape Business – Denied by the County Board on June 6, 2015

Mike Hoffman explained that the item was referred back to the PBZ Committee, adjusted a little, and sent back to the County Board where it received a tie vote, which resulted in a denial of the petition and no change to the existing zoning code. Scott Gryder mentioned that neither he nor Jeff Wehrli were able to make that particular County Board meeting. He suggested there were still some concerns about if the amendment would create any additional violations.

PUBLIC COMMENT - There were no comments.

OLD BUSINESS/NEW BUSINESS

Mike Hoffman distributed a letter he sent to the Townships, and a letter from the Na-Au-Say Township Planning Commission. He noted that he had heard back from Oswego, Na-Au-Say and Kendall Townships regarding the proposed text change to require both primary and secondary septic systems to be on individual lots. He noted that all 3 Townships would prefer a minimum lot size of one acre. All Townships will be invited to the July 22nd Ad Hoc meeting to continue the discussion, and hopefully reach a consensus prior to moving forward. He suggested several options, including the draft text amendment, to do nothing, or to draft some standards to allow straight one or two acre zoning with some conditions or restrictions. Such restrictions could address the size of the subdivision, require a buffer, or perhaps not allowing any lots to front on an arterial or collector roadway. Yet another option is to scale back the LRMP to reduce the area dedicated to potential residential use. Mr. Hoffman also noted he was going to get in touch with the Health Department regarding any issues with back-up septic systems in common open space. Scott Gryder asked what the driving issue was behind this request. Mr. Hoffman noted concern was lot size, but it was also maintenance of common open space. Fran Klaas noted that often hears concerns for maintenance of common open space. David Guritz noted concerns with the County getting properties they owned like Heneberry up to an appropriate standard, and it would be difficult to take on more responsibility.

AJOURNMENT- Next meeting on August 4th, 2015

With no further business to discuss Mike Peters made a motion, seconded by David Guritz to adjourn the meeting at 9:43 a.m. The motion carried.

Submitted by,
Mike Hoffman, AICP, PLA
Teska Associates, Inc./ County Planning Consultant

ZPAC Meeting Minutes 7.7.15