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 22nd and a Public Hearing before the Special Use Hearing Officer on July 27th. 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 22nd and a Public Hearing before the Special Use Hearing Officer on July 27th. 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