



Village of Fox River Grove

MINUTES OF THE ZONING BOARD OF APPEALS MEETING WEDNESDAY, APRIL 10, 2019

CALL TO ORDER

Chairman Celske called the meeting to order at 7:03 p.m.

ROLL CALL

Present were Chairman Dan Celske and members Karls, Murren, Rosch, and Weber. Also present were Village Administrator Soderholm and Assistant to the Village Administrator Bechler. Member Riley was absent.

APPROVAL OF THE DECEMBER 19, 2018 MINUTES

A MOTION was made by Murren and seconded by Rosch to approve the December 19, 2018 minutes. Members Celske, Karls, Murren, Rosch and Weber were in favor. Motion Carried.

AGENDA ORDER

A MOTION was made by Chairman Celske to reorder the agenda to hear Zoning Case 2019-03 first. There was no objection.

ZBA CASE 2019-03: 713 HUNTERS WAY, VARIANCES

Chairman Celske opened the public hearing for zoning case 2019-03 and accepted the proof of mailing certificates as well as a picture of the required posting. Petitioner Glenn Winikates explained that he is seeking a variance for an accessory structure that has already been constructed in excess of the height (12') and setback limits allowed in the R2 zone. Member Murren asked when the structure was constructed and why the Petitioner had not sought a permit. The Petitioner explained that it had been built in summer 2018, and that he had not sought a permit because he thought structures under 100 square feet did not require a permit.

A MOTION was made by Member Weber and seconded by Karls to approve the request for variances to permit the accessory structure as constructed to remain at 713 Hunters Way with the condition that the Petitioner bring the structure into compliance with applicable codes within two months. The findings of fact, as well as factual assertions as presented are adopted into this motion. A voice vote was taken. Karls—yes, Murren—yes, Celske—yes, Rosch—yes, Weber—yes. Motion Passed.

The public hearing for zoning case 2019-03 was closed at 7:16 p.m.

ZBA CASE 2019-01: 501 ALGONQUIN ROAD, SPECIAL USE & VARIANCE

Chairman Celske opened the public hearing for zoning case 2019-01 and accepted the proof of mailing certificates as well as a picture of the required posting. Representatives from the Fox River Grove Fire Protection District explained that it is seeking the new parking lot because its current parking lot is insufficient to meet its needs, and overflow parking options are uncertain. As such the District is seeking a special use permit to allow a non-residential use with a lot area less than 60,000 square feet, a side yard setback of less than eight feet, and a green area in the front setback of less than 60%.

Chairman Celske inquired whether other options for overflow parking and access to the proposed site had been considered. He was informed that other options had been considered, but ultimately deemed too inconvenient or costly to pursue.

Member Weber asked whether stormwater requirements could be met by the proposed project. He was told that the site would be regraded in advance of both phases to ensure that the project would meet the necessary retention and runoff minimization requirements

Member Karls asked the representatives to explain the phases of the proposed lot. They explained that higher sections would be cut down and moved to lower sections of the site to create a more gradual slope.

Resident Peter Swenson asked the Zoning Board members if concerns about property values or alterations to the character of the neighborhood would automatically prevent the passage of a project. Chairman Celske explained that these are important considerations in the evaluation of the project, but would not necessarily prevent its allowance.

Member Murren recommended conditions relating to retaining light onsite.

A MOTION was made by Murren and seconded by Rosch to make recommendation for approval of the special use permit and variance requests with the conditions that the lighting meet applicable codes, and that an automatic timer turn the lights off at a reasonable time to be determined. The findings of fact, as well as factual assertions as presented are adopted into this motion. A voice vote was taken. Karls—yes, Murren—yes, Celske—yes, Rosch—yes, Weber—yes. Motion Passed.

The public hearing for zoning case 2019-01 was closed at 8:01 p.m.

ZBA CASE 2019-02: TEXT AMENDMENT TO ZONING ORDINANCE

Chairman Celske opened the public hearing for zoning case 2019-02. Administrator Soderholm explained that the proposed changes to the Zoning Ordinance shift the responsibilities of the separate Planning & Economic Development Commission and Zoning Board of Appeals to a single Planning and Zoning Commission, and moves the enumeration of the duties of the new Commission to the Village Code.

Chairman Celske asked if anything substantive had been changed beyond these adjustments. He was informed that the only other changes were minor clarifications, grammatical and spelling corrections, etc.

The members stated a general understanding of why the zoning and planning functions were being combined into a single commission. They also expressed that they did not like how the process was handled in terms of notification that their individual service would discontinue with the disbanding of the Zoning Board of Appeals.

A MOTION was made by Celske and seconded by Karls to make recommendation for approval of the text amendment as presented. A voice vote was taken. Karls—no, Murren—no, Celske—yes, Rosch—no, Weber—no. Motion Failed.

The public hearing for zoning case 2019-02 was closed at 8:22 p.m.

Administrator Soderholm thanked the Zoning Board members for their years of service to the Village, and presented a certificate of recognition for that service to each member.

OTHER BUSINESS

None

ADJOURNMENT

A motion was made by Karls and seconded by Murren to adjourn the meeting. All were in favor. The meeting adjourned at 8:23 p.m.

CERTIFICATION

I, Derek Soderholm, Administrator for the Village of Fox River Grove, McHenry and Lake Counties, Illinois, DO HEREBY CERTIFY that these minutes are true and correct.



**Derek Soderholm
Administrator
Village of Fox River Grove**

