



PLANNING AND ZONING COMMISSION

December 14, 2020 MEETING MINUTES

Village of Lake In the Hills

Chairman DeMay called to order at 7:30 p.m. the meeting of the Lake in the Hills Planning and Zoning Commission. This meeting was held remotely via Go To Meeting.

ROLL CALL

Commissioners Anna Siakel, Craig Bolton, John Murphy, and Chairman DeMay were present. Absent were Michael Esposito and Greg Walker. Also in attendance were Interim Community Development Director Ann Marie Hess, Village Consultant Paul Evans, Trustee Bill Dustin, and Administrative Specialist Laura Pekovic.

APPROVAL OF MEETING MINUTES

Commissioner Siakel made a motion to approve the Commission meeting minutes of November 16, 2020, and Commissioner Bolton seconded. Motion carried 4-0.

NEW BUSINESS

- a. **104 Deer Path—Request for Approval of a Variation to Section 7.4, “Residential Districts, Residential Bulk Chart”, and a Variation to Section 4.4-2, “General Provisions, Lot Area & Dimension”.**

Staff Report

Director Hess reviewed the Request for Commission Action dated December 14, 2020.

Discussion and Comments by Staff and the Planning and Zoning Commission

Commissioners Siakel and Bolton and Chairman DeMay said the new elevation looked nice. There was no further discussion.

Commissioner Siakel made a motion to recommend approval for a Variation to Section 7.4, “Residential Districts, Residential Bulk Chart”, and a Variation to Section 4.4-2, “General Provisions, Lot Area & Dimension”. The motion was seconded by Commissioner Bolton. On a roll call vote Commissioners Murphy, Bolton, Siakel, and Chairman DeMay voted Aye. Motion carried 4-0.

- b. **8302 Pingree Road—Request for Approval of a Variation to Section 13.5, “Permitted Accessory Structures”, and a Variation to Section 13.3-2, “Floor Area-Size”.**

Staff Report

Director Hess reviewed the Request for Commission Action dated December 14, 2020.

Discussion and Comments by Staff and the Planning and Zoning Commission

At Commissioner Siakel’s request, Director Hess confirmed that the property is zoned B-4 and received past approval from the Village to occupy the home as a residence, so the property is legal non-conforming. Director Hess also confirmed that the proposed garage will not be as big as the existing house. There was no further discussion.

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Commissioner Bolton made a motion to recommend approval of a Variation to Section 13.5, "Permitted Accessory Structures", and a Variation to Section 13.3-2, "Floor Area-Size". The motion as seconded by Commissioner Siakel. On a roll call vote Commissioner Murphy, Bolton, Siakel, and Chairman DeMay voted Aye. Motion carried 4-0.

- c. **Village of Lake in the Hills—Request for Approval of a Text Amendment to the Zoning Ordinance, Section 11, Permitted and Conditional Use Chart, to Allow "Outdoor Storage of Materials/Vehicles/Equipment Accessory to Principle Use" in the B-1 Zoning District**

Staff Report

Director Hess reviewed the Request for Commission Action dated December 14, 2020.

Discussion and Comments by Staff and the Planning and Zoning Commission

Chairman DeMay asked if this Conditional Use text amendment should also be added to the B-2 district. Director Hess said it could be addressed at an upcoming public hearing. Commissioner Siakel indicated concern about materials and vehicles being stored in a residential neighborhood. Director Hess suggested that it would be beneficial to businesses and residents to have a process that permits this use to be considered as a Conditional Use. Therefore, petitioners must seek a public hearing and Commission approval, and the Commission could set specific conditions regarding certain locations of the properties in question. Chairman DeMay agreed with Commissioner Siakel that he would like to see it as a Conditional Use in the B-1 and not just permitted. Commissioners Bolton, Siakel, and Murphy said they would be okay with this request. There was no public comment. Director Hess said that in some instances this text amendment would help support enforcement in certain business zones so when staff are aware there is a truck or equipment parked outside, they could direct the property owner to go through the process to review it in detail.

Commissioner Siakel made a motion to recommend approval of a Text Amendment to the Zoning Ordinance, Section 11, Permitted and Conditional Use Chart, to Allow "Outdoor Storage of Materials/Vehicles/Equipment Accessory to Principle Use" in the B-1 Zoning District, The motion as seconded by Commissioner Murphy. On a roll call vote Commissioners Murphy, Bolton, Siakel, and Chairman DeMay voted Aye. Motion carried 4-0.

- d. **1203 Crystal Lake Road—Request for Approval to Rezone 1203 Crystal Lake Road from B-2, Neighborhood Convenience, to a B-1, Transitional Use, and a Conditional Use to Section 11, Permitted & Conditional Use Chart, to Permit Outdoor Storage of a Vehicle Accessory to Principle Use in a B-1 Zoning District**

Staff Report

Director Hess reviewed the Request for Commission Action dated December 14, 2020.

Discussion and Comments by Staff and the Planning and Zoning Commission

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Tatyana Grand, with Petitioner Kris Grand, said she plans to improve the property and make it residential. It was explained that the truck will only be there on the weekends. Mr. Grand said he would arrive home Friday night and leave Monday morning. He has offsite parking for the trailer, but needs to bring the cab home to clean it. On the weekends, the trailer cab would be there sometimes overnight. Commissioner Siakel asked if the building will be a residence, as there have been a lot of businesses there in the past. Ms. Grand indicated that the interior is planned to be residential and will be remodeled and gardens planted outside. Commissioner Bolton asked about the steep grade driveway for the trailer cab, and that the Decatur side is less severe. Director Hess said she received one phone call from a neighbor who lives down the hill who wanted to understand the public notice that he received in the mail. That neighbor did not voice any concerns or oppositions.

Trustee Dustin indicated that the Village Board may have a concern about the diesel cab running at various hours of the night and disturbing the neighbors. Mr. Grand indicated that the truck would idle in the morning for about five minutes. Commissioner Siakel indicated she would not like the noise and the truck going up Crystal Lake Road, and it is not a good use for the property. There was a public comment from a resident, Mr. Clark, that he was concerned about the truck's gross weight. Ms. Grand indicated that the cab would not have a trailer attached. Director Hess said during the day she occasionally sees trucks cut through on Oak from Pyott to Randall or Algonquin Road. Mr. Clark expressed concern if the zoning change would affect the property value. At Commissioner Murphy's request, the petitioner confirmed that they own the property. Chairman DeMay said he did not mind changing the zoning, but was unsure about the trailer cab coming and going from the house. Commissioner Murphy expressed concern that this would open the door for more truckers to park their trucks at home overnight and that is only being considered because they want B-1 so they could park the truck there. Commissioner Siakel stated this is to be a business and a residence, and that she is not comfortable with trucks in the heart of the neighborhood with houses, and that allowing this would set a precedent. There was discussion about the zoning designations in the area in line with the parking situation as well as allowing a large truck in a residential neighborhood. Ms. Grand reiterated that they want to modernize the property, and there is a large parking lot existing on the property for the truck. Mr. Clark mentioned that diesel trucks typically idle more than five minutes, and that it could cause a disruption to the neighbors. At Chairman DeMay's request, Director Hess read the description of the zoning ordinance of the B-1 district, and she noted the types of past businesses that had occupied the property. Chairman DeMay stated that the B-1 description is a home that wants to have a business capability. This request is a business that wants to be a home and have a trailer cab parked in front of it, which is the complete opposite. Chairman DeMay questioned if the Commission can even consider this request. The petitioner stated this is going to be a home and not a business, and they want the truck cab parking for cleaning it. There was discussion about changing it to an R-2 and parking the trailer cab outside, which Commissioner Siakel said she would not support. There was discussion if the lot should be R-2 instead of B-1.

Director Hess suggested to the Commission that this something to think of long term for the remaining, surrounding parcels and if the Comprehensive Plan should be reviewed for this area.

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Should parcels in this area remain business that serves the community or as the opportunity comes along, should they be changed to residential uses? Deciding that would give clarity on what to do with this specific parcel at this time. The Commission could continue the petitioner's hearing for a later date.

Chairman DeMay liked the idea of changing the parcel to B-1 but was unsure if he would support the parking. Commissioner Siakel said there was too many residential homes in the area for a cab to be parked out front. There was discussion on how to proceed with a motion.

Director Hess and Chairman DeMay discussed that it would be at the Commission's discretion if the motions were voted on together or separate.

Commissioner Siakel made a motion to recommend approval to Rezone 1203 Crystal Lake Road from B-2, Neighborhood Convenience, to a B-1, Transitional Use. Commissioner Murphy seconded the motion. On a roll call vote Commissioners Murphy and Bolton voted Aye. Commissioner Siakel and Chairman DeMay voted No. Motion failed 2-2. Chairman DeMay clarified to the petitioner why he voted no and recommended that he speak with Director Hess for suggestions on any options.

OLD BUSINESS – None

ITEMS FOR DISCUSSION – Section 16, Fences, and Section 3, Definitions, of the Lake in the Hills Zoning Code.

Mr. Paul Evans, consultant, reviewed the goals and the surrounding community fence survey and how he planned to clarify the fence illustrations. He reviewed the current administrative approval wording in the ordinance. He reviewed the proposed administrative approval wording which has more structure and description in regards to fence size, location, and openness.

Mr. Evans reviewed the proposed acceptable materials, which includes PVC vinyl. He also reviewed the interior and side yard fence type proposals, which includes flat panel on the rear and side yards, and lattice in certain situations.

Mr. Evans reviewed the proposed corner lot fence requirements with illustrations.

There was public comment from resident Clark. He asked for clarification on interior lots. Chairman DeMay directed that he contact Director Hess to answer his specific questions pertaining to his own lot.

Commissioner Bolton expressed concern with staff having to determine what is 30 percent open for the fence tops with the lattice proposal. Mr. Evans suggested that this proposed change could be removed. Director Hess mentioned split-rail fences are not allowed in Lake in the Hills, and Arden

Rose had to get approval for theirs. The Commission agreed that split rail is okay, and it is more for decoration than practicality. The Commission indicated they were not in favor of backing on split rail or more open-type fences. Mr. Clark asked the Commission if different type of fences can go right up against each other, which the answer was yes.

Mr. Evans talked about the proposed changes for the through lots and buffer fencing. Commissioner Siakel indicated a preference for the uniformity of board-on-board fences. The Commission discussed perimeter fences and if they should continue to only allow one type of material (wood) and only board-on-board style. It was suggested that Director Hess provide pictures of different types at the next meeting.

STAFF REPORT

- a. November 2020 Board of Trustees meeting—The rezoning 1126 West Algonquin from B-2 to R-2 was approved.

AUDIENCE PARTICIPATION—Nothing further.

TRUSTEE LIAISON REPORT—Trustee Dustin brought to the Village Board, Commissioner Walker’s suggestion that the Village pay for the cost of perimeter fence replacements along the arterial roads. He said no Board member spoke up.

Commissioner Siakel made a motion to adjourn the meeting and was seconded by Commissioner Murphy. All in favor voted Aye. Chairman DeMay adjourned the meeting at 10:05 p.m.

The next Lake in the Hills Planning and Zoning Commission meeting is scheduled for Monday, January 18, 2021 at 7:30 p.m.

Laura Pekovic
Administrative Specialist