



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, JUNE 1, 2016  
HELD AT THE CRYSTAL LAKE CITY COUNCIL CHAMBERS**

The meeting was called to order by Chairman Hayden at 7:30 p.m. On roll call, members Batastini, Esposito, Goss, Jouron, Skluzacek, and Hayden were present. Mr. Greenman was absent.

Elizabeth Maxwell, Senior Planner, was present from Staff.

Mr. Hayden asked those in attendance to rise to say the Pledge of Allegiance. He led those in attendance in the Pledge.

Mr. Hayden stated that this meeting was being televised now as well as recorded for future playback on the City's cable station.

**APPROVE MINUTES OF THE MAY 4, 2016 PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the May 4, 2016 Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, all members present voted aye. Motion passed.

**2015-45 UDO Amendments – PUBLIC HEARING**

The petitioner is requesting to be continued to the July 20, 2016 PZC meeting.

Mr. Goss moved to continue 2015-45 UDO Amendments to the July 20, 2016 PZC meeting. Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

**2016-19 GARDNER SENIOR HOUSING - 295 Pathway Ct – PUBLIC HEARING**

The petitioner is requesting to be continued to the June 15, 2016 PZC meeting.

Mr. Goss moved to continue 2016-19 Gardner Senior Housing to the June 15, 2016 PZC meeting. Mr. Skluzacek seconded the motion. On roll call, all members voted aye. Motion passed.

**2016-15 FOX VALLEY ANIMAL HOSPITAL – 6115 Northwest Hwy – PUBLIC HEARING**

Variation from: A. dimensional standards for parking spaces and aisles to allow 17-foot stalls, a variation of 2 feet from the required 19-foot stall and a 16.5-foot drive aisle, a variation of 7.5 feet from the required 24-foot drive aisle; and B. the required number of parking spaces to allow 10 spaces, a variation of 7 spaces from the required 17.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Dr. Jerrold Michaels was present to represent his petition. Dr. Michaels stated that Fox Valley Animal Hospital has been in this location for 56 years. He wants to seal and restripe the parking lot as it is currently configured and can't get a permit to do the work because of a change made to the ordinances in 1998. He said the parking lot has been there for about 40 years and the changes that were made then were because of land taking for the Route 14 expansion. Mr. Hayden asked if the petitioner only wants to maintain what he has now. Dr. Michaels said yes. Mr. Hayden asked if this is grandfathered and doesn't understand why this petition is before the City. Dr. Michaels said the parking stalls are not as deep as the code states now.

There was no one in the public who wished to comment on this petition. The public portion was closed at this time.

Mr. Goss asked how wide is the lot. Dr. Michaels said 50 feet. Mr. Goss said he has been a customer for over 25 years. He said the biggest problem was with IDOT taking land for expansion of Route 14. The driveway is wide enough for two cars and there is no through traffic on this lot. Mr. Goss said he doesn't see a problem with the variations and feels this meets the Findings of Fact. He supports this request.

Mr. Esposito said he also is a customer and has never had a problem getting in or out of the lot.

Mr. Skluzacek agrees. He said there are two large parking lots on each side of this lot. Dr. Michaels said they are owned by others and they don't care for his customers using their lots. Mr. Skluzacek said he supports the request.

Mr. Jouron said he has no problem with the variations.

Mr. Batastini agrees and supports the petition. It has worked for many years and one of the problems is IDOT taking some of the property.

Mr. Hayden believes the City should revisit Unified Development Ordinance (UDO) and think about these types of issues. He is not sure why this petition was needed since the parking lot has been there for many years.

Mr. Esposito moved to approve the Variations from: A. dimensional standards for parking spaces and aisles to allow 17-foot stalls, a variation of 2 feet from the required 19-foot stall and a 16.5-foot drive aisle, a variation of 7.5 feet from the required 24-foot drive aisle; and B. the required number of parking spaces to allow 10 spaces, variation of 7 spaces from the required 17 **for the parking lot to remain as is** for Fox Valley Animal Hospital located at 6115 Northwest Highway ~~with the following conditions:~~

- ~~1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:~~
  - ~~A. Application (Michaels, received 05/06/16)~~
  - ~~B. Site Plan (aerial map, received 05/06/16)~~
  - ~~C. Parking Plan (Crystal Lake staff, received 05/06/16)~~

~~2. The parking lot must be restriped to meet the required dimensional standards of the UDO.~~

~~3. The petitioner shall address all of the review comments and requirements of the Community Development, Public Works, and Fire Rescue Departments.~~

Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

**2016-18 HANRAHAN- 28 Holly Dr.** – PUBLIC HEARING

Variation to allow a 5-foot-high fence 15.9 feet from the property line, a variation of 14.1 feet into the required 30-foot corner side yard setback.

Mr. Hayden stated that the sign had been posted. He said the surrounding property owners were notified and the Certificate of Publication was in the file. Mr. Hayden waived the reading of the legal notice without objection.

Tim and Elizabeth Hanrahan were present to represent their petition. Mr. Hanrahan said he applied for a new fence permit and was told he needed a variation. They had a 6-foot fence for several years and a few years ago it was damaged by the wind. He said they were not able to replace the fence then but want to now. Mr. Hanrahan said that probably if they had replaced it when the damage happened they would not need to go through this process.

Mrs. Hanrahan said they want privacy when they are on their patio and there is no privacy with a 3-foot tall fence. Mr. Hanrahan said he understands the reasoning behind the ordinance, but this fence is only going from the corner of the garage to the house. Mrs. Hanrahan said she doesn't understand why this wasn't grandfathered in. Mr. Hayden asked if there is a timing issue with something being grandfathered. Ms. Maxwell said this is a non-conforming structure and once the fence was removed it needed to be rebuilt in compliance with the ordinance. She added that staff has contemplated adding language to the UDO that the condition would be grandfathered if the request does not increase the existing variation.

Mr. Hayden asked if the fence repair would have been turned over to an insurance company would that have made a difference. Ms. Maxwell said once the non-conforming structure is damaged or removed by over 50% of the size or value, it must be rebuilt in compliance with the ordinance or request a variation. Time would not have made a difference. Mr. Hanrahan said he understands it and the fence was approved and permitted the first time. They were going through the proper channels and get a permit for the fence. They are trying to do the right thing. Mrs. Hanrahan mentioned a property across the street was in disrepair for years and nothing was done about it. They are trying to keep up their property.

Norma Hinneberg said she has lived in Crystal Lake for many years and when people mention anything about a fence everyone goes off. She believes a grandfather clause should come into play. Mr. Hayden explained the grandfather clause.

There was no one else in the public who wished to comment on this petition. The public portion was closed at this time.

Mrs. Hanrahan asked if the fence doesn't connect to any structure does it still need a variation. Ms. Maxwell said it would.

Mr. Goss said this is a non-conforming lot. A 30-foot setback on a 50-foot lot won't work. This is not making the setback worse. Mr. Goss said this meets the Findings of Fact. Mr. Esposito agreed.

Mr. Skluzacek asked what the previous height of the fence was. Mr. Hanrahan said it was 6 feet and they are requesting a 5-foot fence. There was a mistake in the application and the Staff report reads 6 feet, but they are requesting 5 feet. Mr. Skluzacek said he doesn't have a problem with the 5-foot fence. The lot is non-conforming and the fence won't go past the house or garage.

Mr. Jouron said he doesn't have a problem with the request. He added that the City usually needs a complaint to be filed to check into a problem property.

Mr. Batastini said he is ok with the request.

Mr. Goss moved to approve the Variation to allow a 5-foot-high fence 15.9 feet from the property line, a variation of 14.1 feet into the required 30-foot corner side yard setback at 28 Holly Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
  - A. Application (Hanrahan, received 05/13/16)
  - B. Site Plan (Hanrahan, undated, received 05/13/16)
2. The petitioner shall address all of the review comments and requirements of Community Development Department.

Mr. Esposito seconded the motion. On roll call, all members voted aye. Motion passed.

### **REPORT FROM PLANNING**

- Crystal Lake Lions Club sign – 427 W Virginia St – Lease amendment
- Kay – 755 Blackthorn Dr – Variation
- Aroma Café – 77 E. Woodstock St Unit A – Grant

Ms. Maxwell reviewed the items to be discussed at the next meeting.

### **COMMENTS FROM THE COMMISSION**

There were no comments from the Commissioners.

The meeting was adjourned at 8:05 p.m.