



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION  
WEDNESDAY, SEPTEMBER 4, 2013  
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, Gavle, Goss, Greenman, Jouron, Skluzacek, and Hayden were present. Mr. Esposito was absent and Mrs. Lembke has resigned her appointment.

Latika Bhide and Elizabeth Maxwell, both Planners, and Rick Paulson, Building Commissioner, were 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 AUGUST 21, 2013 PLANNING AND ZONING COMMISSION MEETING**

Mr. Jouron moved to approve the minutes from the August 21, 2013 Planning and Zoning Commission meeting as presented. Mr. Goss seconded the motion. On roll call, members Batastini, Gavle, Goss, Jouron, Skluzacek, and Hayden voted aye. Mr. Greenman abstained. Motion passed.

**2013-34 SIGNATURE AUTO – 970 Pyott Road** – PUBLIC HEARING

This petition was referred back from the City Council and the petitioner is requesting to be continued to the September 18, 2013 PZC meeting.

Mr. Greenman moved to continue 2013-34 Signature Auto to the September 18, 2013 PZC meeting. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

**2013-29 DOHERTY** – PUBLIC HEARING

The petitioner is requesting to be continued to the October 2, 2013 PZC meeting.

Mr. Greenman moved to continue 2013-29 Doherty to the October 2, 2013 PZC meeting. Mr. Goss seconded the motion. On voice vote, all members voted aye. Motion passed.

**2013-38 PORZEZINSKI – 186 Regal Dr.** – PUBLIC HEARING

This petition is being continued to the September 18, 2013 PZC meeting

Mr. Goss moved to continue 2013-38 Porzezinski to the September 18, 2013 PZC meeting. Mr. Jouron seconded the motion. On voice vote, all members voted aye. Motion passed.

**2013-37 DELLAMARIA – 1089 North Shore Dr. – PUBLIC HEARING**

This petition was continued from the August 21, 2013 PZC meeting.

Variations for a 6-foot fence along the street and to allow a detached accessory structure without a principal structure.

Mr. Hayden stated that the sign was not up earlier today but he was assured by staff that it had been posted and possibly was blown away by the recent storms. He said the surrounding property owners have been notified and the Certificate of Publication is in the file. Mr. Hayden waived the reading of the legal notice without objection.

Matt and Michelle DellaMaria were present to represent their petition. Mrs. DellaMaria asked if the Commissioners had received their proposal. Mr. Hayden said they had and summarized the petitioners' request. Mrs. DellaMaria said that was correct and they felt it was a very straight forward request.

Mr. Hayden opened the public comment portion of the hearing.

Chris Ims, 154 Mayfield Avenue, said he objects to the request. First there was no sign posted on the property for approximately 1 week. Mr. Hayden asked if Mr. Ims had received notification via mail about the meeting. Mr. Ims said he did not and added that there was a sign posted about a week ago. He had also spoken with several of his neighbors who also had not received notice of the meeting. Mr. Ims said he was told by one of the Association board members that the City was putting a hold on any building in the area until the drainage issues are taken care of. Building large homes on small lots has made the problem worse.

Mr. Hayden reminded those in attendance that they are not discussing the house being taken down – only the fence and garage. Mr. Ims said the house will cover up his lake view. Mr. Goss said the property is under private ownership and they can build on the lot so long as they meet the required setbacks, etc. Mr. Ims stated his concern was about the lake view and the value of his home will go down. Mr. Hayden said he drove along North Shore earlier in the day and there are several 6 foot board on board fences which completely block the view of the lake. Mr. Ims said there are many people in the area who are upset about this but are not here.

Mr. Hayden thanked Mr. Ims for taking the time to attend this meeting.

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

Mr. Batastini said he visited the area earlier in the day and these are two buildable lots. Unfortunately there is nothing they can do about that. He asked if the white fence in the photo was going to be replaced. Mrs. DellaMaria said not at this time. They thought they would ask for approval to replace the fence when it becomes necessary. Mr. Batastini said there is another fence along the property line. Mrs.

DellaMaria said they agreed with the neighbors to leave that fence line as is.

Mr. Skluzacek asked if the new house would be on the empty lot next door. Mrs. DellaMaria said yes. Mr. Skluzacek said he did not have a problem with the request.

Mr. Greenman appreciated the clarification. He said the Findings of Fact are met for the variation. The existing conditions in the area is the hardship.

Mr. Gavle said the lake can be seen through the chain link fence. Mr. Ims said the new home will block their view and it will look like one big house from where his home is located.

Mr. Goss asked if there will be a note added to the file that when the 6 foot fence needs to be replaced, the owner will not need to request a variation. Ms. Bhide said yes. Mr. Goss warned the petitioners that if any structure goes over the lot line it becomes one lot. He said the property owners have a right to build on their lot and stated that with lake lots the front yard is the lake side of the lot. Mr. Ims said this is unique to this property. Ms. Bhide said there was a similar request on Highland are to retain a garage without a principal structure.

Mr. Hayden noted that the view of the lake is blocked by bushes and the house currently. He supports the request since they aren't really making any changes.

Mr. Ims said the petitioner is trying to sidestep the ordinance. Mr. Goss said a new house can't encroach over the property line and it must meet setbacks from both property lines. Ms. Bhide added that the petitioner can put a fence down the lot line if they wish but don't have to. Mr. Goss said each lot has a sewer stub. Mr. Hayden added that the petitioners are currently paying property taxes for two buildable lots. He added that he had held a real estate license for over 30 years and this won't hurt the property values.

Mr. Hayden asked if the petitioners had reviewed the conditions listed in the staff report and if they had any concerns with those. Mr. DellaMaria said they had reviewed them and they did not have any concerns with them.

Mr. Batastini moved to approve Variations to allow: A. A detached accessory structure to be located on a lot without a principal structure; and B. A 6-foot tall fence in the street side yard (**rear yard facing North Shore**) at 1089 North Shore Drive with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:

- A. Application, received 8-2-13
- B. Plat of Survey, Luco, dated 9/28/12, received 8-2-13

2. The following variations are hereby granted:

- A. To allow a detached accessory structure to be located on a lot without a principal structure;
  - B. To allow a 6-foot tall fence in the street side yard.
3. The current drainage patterns on the lot must be maintained.
  4. A stormwater review and permit is required for the demolition of the home.
  5. The petitioner shall address all of the review comments and requirements of the Engineering and Building, Fire Rescue, Police, Public Works, and Planning and Economic Development Departments.

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

**2013-41 LUMBER LIQUIDATORS – 4500 Northwest Hwy.** – PUBLIC HEARING  
PUD Amendment – for a second freestanding sign that is 40 feet tall and 250 square feet in area.

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

Doug Merritt with Professional Permits was present to represent the petition. Mr. Merritt said Lumber Liquidators sought out Crystal Lake whose demographics satisfies their need. He said the staff report captures the history of the property. It was overgrown when they took over. Mr. Merritt has spoken with the manager of the location who said customers are having a problem finding them even with using GPS. This property is unique and set back from the road. They have put time and money to bring the property into compliance. Mr. Merritt said he wants to work on a solution with the PZC that is agreeable to both parties. He said several off-premises signs would help, but that won't happen. They want to be good neighbors but they need to be able to get people to their location. They want to be a viable business.

Mr. Hayden said the PZC is not here to negotiate. The petitioners can discuss alternatives with staff and Council. We make our decisions based on what is presented to us and what staff has reviewed. Mr. Hayden stated that the request is for a sign 40 feet tall and 250 square feet. Mr. Merritt said they are requesting the greatest amount of relief.

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

Mr. Batastini said they are pleased that this business is located in Crystal Lake. When he originally saw the plans that that size sign he thought “no way” since that would be larger than most shopping centers. If this were to be approved, other businesses in the area would want the same thing. He can't support the size of the sign. Mr. Batastini said even car dealerships don't have that size sign. He added that he has

lived in Crystal Lake most of his life and has difficulty getting into U-Haul. Mr. Batastini said that they knew what they were getting into when they went into that location. Portillos is a hard place to get into, but it is always packed no matter what time of day.

Mr. Skluzacek agreed and can't support the size of the sign proposed. Mr. Merritt said they will eventually take over the entire building. Mr. Skluzacek said he still can't support this request. Once they are established, people won't have a problem finding them.

Mr. Greenman thanked the petitioner for the sign study. He reviewed the Findings of Fact and there are only 3 of the 10 that support this request. They bought the site knowing the location.

Mr. Gavle asked if they had considered a sign that is double faced but each side angled so one side can be seen from Route 31 and the other seen from Route 14. He added that the height and size is too large. Mr. Merritt thanked Mr. Gavle and said they would look into that type of sign. Mr. Gavle added that people aren't looking 40 feet into the air for a sign. It needs to be lower.

Mr. Hayden asked what was approved for Marriott. Mr. Batastini recalled that they were not approved for anything like this. Mr. Goss said they were given a highway sign on the property.

Mr. Batastini said he travels a lot on business and most hotels are on frontage roads and are sometimes a challenge to find.

Mr. Jouron said that the sign examples that were given were of signs that are either currently in the County or were built in the County and annexed into the City.

Mr. Goss added that the Car Care sign has been reduced to 15 feet. He asked if the petitioner had been involved with the location since the beginning. Mr. Merritt said yes. Mr. Goss said this discussion should have been part of the original approval. He recalls telling the petitioner at that time that they needed to comply with the sign ordinance.

Mr. Goss said in the late 1990s the City's sign ordinance changed and businesses were given a certain amount of time to bring their signs into compliance. This sign is extremely large and Routes 31 and 14 are not I-80.

Mr. Batastini moved to continue 2013-41 Lumber Liquidators to the October 2, 2013 PZC meeting. Mr. Goss seconded the motion. On roll call, all members voted aye. Motion passed.

Mr. Hayden said it is best for the petitioner to continue and present other options instead of receiving a negative vote. He said if the City Council denied the request, there is a certain time frame that they would have to wait to make that request again. Ms. Maxwell said yes.

## **REPORT FROM PLANNING**

Ms. Maxwell reviewed the petitions for the next PZC meeting.

**COMMENTS FROM THE COMMISSION**

Mr. Jouron asked about the bleacher situation. Ms. Maxwell said she was not sure what had happened lately.

Mr. Batastini asked about the sign for the YMCA on Route 31. He doesn't recall seeing that sign. Ms. Bhide said it was part of the PUD Amendment request and the PZC recommended that the size needed to be reduced and the EMC was to be removed, which the petitioner did.

Mr. Paulson said the YMCA addition and Goodwill building received approval earlier in the day to start to move dirt.

The meeting was adjourned at 8:30 p.m.