



**CRYSTAL LAKE PLANNING AND ZONING COMMISSION
WEDNESDAY, OCTOBER 1, 2014
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, Gavle, Jouron, Skluzacek, and Hayden were present. Members Goss and Greenman were absent.

Elizabeth Maxwell, 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 SEPTEMBER 17, 2014 PLANNING AND ZONING COMMISSION MEETING

Mr. Jouron moved to approve the minutes from the September 17, 2014 Planning and Zoning Commission meeting as presented. Mr. Gavle seconded the motion. On roll call, members Esposito, Gavle, Jouron, Skluzacek, and Hayden voted aye. Mr. Batastini abstained. Motion passed.

2014-41 DIMOPOULOS - 103 Sunnyside Ave. – PUBLIC HEARING

Variation from Article 3-200, 7-200B (iii) and 7-300B 4 from the minimum front yard setback requirements to allow a 40-foot encroachment of a cover front porch that will be added to the existing nonconforming principal structure.

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.

Mr. Skluzacek recused himself from the discussion of this petition. He left the Council Chambers.

Carbie Dimopoulos, owner, and William Reece, architect, were present to represent the petition. Ms. Dimopoulos said the home was purchased last October and they would like to put on a second story and add a front porch. She said the porch addition is what requires a variation.

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

Mr. Gavle asked if the one foot addition to the porch is the only issue. Ms. Dimopoulos said yes. Mr.

Gavle said he has no problem with the request. Members Batastini, Esposito, Jouron and Hayden agreed. Mr. Hayden added that this is a good project.

Mr. Batastini asked if the petitioner had any concerns with the recommended conditions in the staff report. Mr. Reece said no. Mr. Batastini said this requests meets the standards listed in the Staff report. This will enhance the area.

Mr. Batastini moved to approve the Variation from Article 3-200, 7-200B (iii) and 7-300B 4 from the minimum front yard setback requirements to allow a 40-foot encroachment of a covered front porch that will be added to the existing nonconforming principal structure at 103 Sunnyside Avenue with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Dimopoulos, received 09/05/14)
 - B. Survey (Luco Construction Company, dated 09/27/13, received 09/05/14)
 - C. Building Renovation and Addition (Reece Architects, dated 08/22/14, received 09/12/14)
2. The variation from Article 3-200, 7-200B (iii) and 7-300B 4 from the minimum front yard setback requirement to allow a 40-foot encroachment of a new covered front porch is hereby granted.
3. The addition to the property may not increase the encroachment of the front yard setback by more than 1-foot, totaling in a maximum encroachment of 40 feet.
4. Style, colors and materials shall be complementary to the principal structure.
5. The petitioner shall address all of the review comments and requirements of the Community Development Department, Public Works Department, and Fire Rescue Department

Mr. Esposito seconded the motion. On roll call, members Batastini, Esposito, Gavle, Jouron and Hayden voted aye. Mr. Skluzacek did not vote. Motion passed.

Mr. Skluzacek returned to the Commission at this time.

2014-42 KARR-SHOEVLIN – 153 Greenfield Ave. – PUBLIC HEARING

Variation from Article 3-200, 7-200B (iii) and 7-300B 4 from the minimum front yard setback requirements to allow a 12-foot encroachment of a front porch that will be added to the existing nonconforming principal structure.

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 Shoevlin, contractor, and John Karr, owner, were present to represent the petition. Mr. Shoevlin said they are requesting the variation for an 8-foot deck to be placed on the front of the home. Currently, there is no sidewalk leading to the front door and this deck will make it easier for everyone to enter and exit the home. Also most of the homes in the area have front porches.

Mr. Hayden asked if there were any concerns with the conditions listed in the staff report. Mr. Shoevlin said no. He said there will be new cedar siding put on the home and the deck will be made of cedar.

David Witsiepe, 148 East End, said he lives directly behind this property and is very happy with the improvements that have been made so far. It has improved the neighborhood. He added that all of the neighbors are in favor of the variation.

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 supports this project. There are many homes in that neighborhood that have front porches and this will fit in well. He said the standards listed in the staff report have been met especially the character of the area.

Mr. Esposito said this is a very nice makeover. Mr. Skluzacek said the house will look better. Mr. Gavle and Mr. Jouron agreed. Mr. Hayden said this is a nice addition.

Mr. Batastini moved to approve the Variation from Article 3-200, 7-200B (iii) and 7-300B 4 from the minimum front yard setback requirements to allow a 12-foot encroachment of a new front porch that will be added to the existing nonconforming principal structure for 153 Greenfield Avenue with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Karr-Shoevlin, received 09/12/14)
 - B. Survey (Shoevlin, received 09/12/14)
 - C. Proposed deck plan (Shoevlin, received 09/12/14)
 - D. Setback measurements drawing (City staff, received 09/12/14)
2. The variation from the minimum front yard setback requirement to allow a 12-foot encroachment of a new front porch is hereby granted.
3. The size of the front porch cannot be expanded in the future, thereby limiting further encroachment of the front yard setback.
4. Style, colors and materials shall be complementary to the principal structure.

5. The petitioner shall address all of the review comments and requirements of the Community Development Department, Public Works Department, and Fire Rescue Department.

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

2014-40 McNEIL-BOYER - 171 S. Main St. – PUBLIC HEARING

Rezoning from M-L Manufacturing Limited to B-4 Downtown Commercial and a Special Use Permit to allow a single-family attached first floor residential use in the B-4 zoning district

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.

Karlen Covey, attorney, Neil and Carmen Boyer, owners, were present to represent the petition. Mr. Boyer said they want to restore the building. They have two successful home-based businesses they run from their current home. They would like to move their businesses and residence to this building. The residence would be a loft-style home for them. Mr. Boyer added that the Main Street location would have good visibility for their businesses.

Mr. Boyer said there are approximately 40% residential and 60% business in the area. This property is in the TIF District – Crystal Lake Avenue and Main Street. He added that the building was recently vandalized. First they want to restore the exterior of the building including the roof before winter and then concentrate on the interior renovations. Mr. Boyer said with their efforts in restoring the building, it will create a better welcoming to the downtown area.

Mrs. Boyer said they have lived and worked out of their home in Algonquin for 18 years. Now they are empty nesters and they want to down size but still have their businesses within their home. She added that there are three homes that might be in difficulty – possibly foreclosure - just to the north of this building.

Mr. Covey said the property was annexed and zoned for Manufacturing Limited which does not allow any residential use even through a Special Use Permit. This property is approximately 100 yards from the “B-4” zoning district across Main Street. He said this will allow them to have a residence in the rear of the building which will not be visible from Main Street. This is a good opportunity. Mr. Covey said this building would be retail and a home. He added that the building is only one story and “B-4” allows for residential on the second floor.

Mr. Hayden asked if there were any concerns with the conditions listed in the staff report. Mr. Covey said no.

Mrs. Boyer showed the possible floor plan for the building. Mr. Covey said this is in the TIF district and they were told that that would allow for mixed uses.

Marshall Kloepfer, 163 S. Main Street, said he owns and lives at 163 N. Main Street and plans on staying there. He completely supports the request. Mr. Kloepfer said the City should be excited to clean up and renovate the property. He added that the City needs to be supportive of any effort made to improve the TIF area. Mr. Kloepfer asked to speak to the Commission after this petition is concluded.

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

Mr. Jouron asked where the offices and entrances would be located in the building. Mr. Boyer showed the locations on the possible floor plan. Mr. Hayden said one of the conditions is to provide a more detailed set of plans including the floor plan. Mrs. Boyer said they don't currently own the building. Mr. Boyer said if this is approved they will quickly put together plans so the building can be protected for the winter and then work on the floor plan and plans for the interior.

Mr. Gavle asked if this type of request common. Ms. Maxwell said there are many home-based businesses in the City. This is slightly different by taking a commercial building and put a living space in it. She added that the petitioner will need to meet the building code requirements, but that should not be an issue. Mr. Boyer said this is a classic 1940s structure. They will be adding walkways, canopies, etc. This building has a lot of potential and is unique. Mrs. Boyer said they looked at several properties, but they wanted to be close to a downtown area as well as the commuter train.

Mr. Skluzacek said he has no problem with the rezoning, but is on the fence regarding the residential. He asked about the garage door in the rear. Mr. Boyer said they thought they would keep the door opening and replace it with a glass door. Mr. Skluzacek asked if all of the parking would be in the rear of the building. Mr. Boyer said yes and there will be sufficient parking. He added that this is not a great location for retail and there is only one main entrance to the building. Mr. Skluzacek said he is concerned with residential in the building.

Mr. Esposito said he likes the idea and there are residences to the north of this property. He added that this would be spot zoning, but does like the changes to the building. Mr. Esposito asked if there would be parking in the front of the building. Ms. Maxwell said there is a required 20 foot setback from a roadway. Mr. Covey said they are not exactly sure where the right of way is located. Mrs. Boyer said she doesn't see a problem with the parking being in the rear. Most suburban offices have parking in the rear and the people have to walk to the front to enter the building.

Mr. Esposito asked about the number of parking spaces that would be used during the day. Mr. Boyer said not many would be used. There would not be many people working in the other office areas.

Mr. Batastini said this is different and he is not objectionable to the use.

Mr. Hayden said recently there was something in the downtown area regarding business and residential use in a building. Ms. Maxwell said there was a request for residential on the first floor and business uses on the second floor which was approved by Council. Mr. Hayden said the petitioners may have to sprinker the building. Ms. Maxwell said that would be determined by the Fire Rescue Department.

Mr. Hayden asked about the office areas. Mr. Boyer said their businesses do require storing some items for future use and/or selling at estate sales/internet. Neither of them wants to have a retail business. It requires a lot of time and employees. Mrs. Boyer said they like their businesses the way they are now. Mr. Hayden asked staff if they foresee any problem in the future with parking. Ms. Maxwell said any future use of the building is reviewed for parking requirements and if a variation is needed the new business owner will need to request it. The parking requirements for this request are met.

Mr. Hayden asked about signage. Mr. Boyer said they will have a sign in the front yard. It will be low profile and there won't be any signage on the building. Mrs. Boyer said their businesses are open by appointment.

Mr. Skluzacek asked if the Special Use Permit is approved, will it go with the property or if the petitioners leave will it be void. Ms. Maxwell explained that variations go with the property but Special Use Permits are for that specific user only. If another were to come with a similar request, they would need to go through the process again.

Mr. Hayden asked if Mr. Kloepfer wanted to make his additional comments at this time. Mr. Kloepfer said his property was forced annexed into the City and made part of the TIF district. At that time TIF districts were beneficial. Since that time the market for property has dropped considerably. He was promised many upgrades to the area such as walks and street lights. Nothing has happened and feels the City is not doing their job with this district. He said all of the tax dollars have been diverted to other areas and the general fund and not put back into this area.

Mr. Hayden thanked Mr. Kloepfer for his comments and stated that he would not get into a discussion at this time with him. He added that Mr. Kloepfer comments could not be further from the truth. Mr. Kloepfer said the funds have been misused and he will be pursuing this further than with the boards.

Mr. Esposito moved to approve the Rezoning from M-L Manufacturing Limited to B-4 Downtown Commercial and a Special Use Permit to allow a single-family attached first floor residential use in the B-4 zoning district for 171 S. Main Street with the following conditions:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Boyer, received 09/11/14)
 - B. Application Packet Narrative (Boyer, received 09/15/14)

2. The petitioner shall submit a complete set of building permit plans for any interior alterations and is required to meet all life-safety codes for all commercial, office and residential uses.
3. All parking areas shall be on a paved surface with at least 1 enclosed space for the residence and 11 additional striped spaces.
4. The petitioner shall address all of the review comments and requirements of the Community Development and Fire Rescue Departments.

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

REPORT FROM PLANNING

Ms. Maxwell reviewed the items for the next meeting on October 15, 2014.

COMMENTS FROM THE COMMISSION

There were no comments from the Commissioners.

The meeting was adjourned at 8:40 p.m.