

CITY OF
WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

**CITY OF WEST CHICAGO
PLAN COMMISSION/ZONING BOARD OF APPEALS
January 15, 2008**

MINUTES

Approved with no changes at the April 1, 2008 meeting.

1. **Call to Order, Roll Call and Establishment of a Quorum** – Chairman Banas called the meeting to order at 7:00 p.m. Roll call found Commissioners Steve Jarolin, Vickie Barber, John Banas, John Warbiany, Janet Hale and Jeffrey Posadzy present. Commissioner Bob Lemon was absent.

Also in attendance were City Planner Jeff Harris and Planning Assistant David DeGroot.

2. **Pledge of Allegiance** – Everyone in attendance participated in the pledge.

3. **Chairman's Comments** – None.

4. **Minutes** – Commissioner Hale noted a correction on page 5 of the December 4, 2007 minutes. Commissioner Jarolin made a motion, seconded by Commissioner Posadzy, to approve the December 4, 2007 minutes as amended. Voting Yea: Commissioners Banas, Barber, Jarolin, Posadzy, and Warbiany. Commissioner Hale abstained because she was not present at the December 4, 2007 meeting. Motion carried.

5. **Continuation of Public Hearing Case PC 07-20 – City of West Chicago, 475 Main Street, Text Amendments**

Mr. DeGroot reminded the Plan Commission that the public hearing was a continuation from the December 4, 2007 meeting. He explained that there are a total of eleven text amendments proposed and that the Plan Commission had raised concerns or objections to proposed amendments 3, 4, 5, and 6 at the previous meeting. He added that City staff has prepared revisions to the amendments addressing those concerns and is requesting that the Plan Commission make a recommendation on all eleven of the proposed amendments. He stated that the recommendation may include the revisions prepared by City staff or any other changes deemed appropriate by the Plan Commission.

Mr. DeGroot stated that Amendment 3(A) proposes to establish a regulation which would prohibit residential driveways from being located immediately in front of a residence. He added that the Plan Commission, at its previous meeting, had reached a consensus that driveways should not be regulated based on location but rather by width and lot coverage. He explained that staff has researched the proposed regulation in great detail and has found it to be unique to the City of West Chicago. He added that the City's current regulations already restrict the width and lot coverage of driveways. Mr. DeGroot stated that it is City staff's opinion that the

PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES OF JANUARY 15, 2008

proposed regulation is the most appropriate means of achieving the Development Committee's objective of prohibiting driveways immediately in front of a residence. He explained that the Plan Commission may revise the proposed amendment or simply choose to remove it.

Commissioner Hale stated that she felt the proposed amendment negatively impacted too many property owners that were not the intended recipients of the proposed regulation and that she would not support the amendment as proposed. Commissioner Hale added that she did understand why the City would create such a unique regulation when none of the surrounding municipalities have such a regulation.

Commissioner Warbiany stated that he felt that the proposed amendment, when combined with the proposed definition of a driveway, meets the Development Committee's objective. He added that he would, however, like to see more consideration given to the proposed amendment.

The Plan Commission reached a consensus that the proposed amendment has too great of an impact on existing and future driveways and should be eliminated.

Mr. DeGroot stated that Amendment 3(B) proposes to prohibit carports in residential zoning districts. He added that the Plan Commission had discussed the proposed amendment at the previous meeting and reached a consensus that carports are a reasonable and allowable use in residential zoning districts. He explained that City staff believes carports are aesthetically unappealing and ultimately result in the outside storage of landscaping items, bicycles, etc. He stated that if the Plan Commission feels carports are a reasonable and allowable use that the proposed regulation should simply be eliminated.

Commissioner Hale stated that she felt carports should be allowed. She added that the outside storage of other items is a code enforcement issue and should not result in the elimination of carports.

Commissioner Barber asked if carports are counted towards lot coverage.

Mr. Harris stated that carports are treated like any other accessory structure with regard to setbacks, lot coverage, and height limitations.

Commissioner Barber stated that she felt a carport should be allowed if the property has the room to accommodate it. She added that City Code requires two enclosed parking spaces and that most properties do not have enough room to accommodate a two-car garage and a carport.

The Plan Commission reached a consensus that the proposed amendment should be eliminated.

Mr. DeGroot stated that Amendment 3(C) proposes to relocate and revise the parking regulations for recreational vehicles in residential districts. He explained that at the previous meeting Commissioner Lemon had suggested revising the maximum length permitted for camper trailers (pop-ups). He explained that Commissioner Lemon had felt that the permitted length was not realistic and too large because he could not find any camper trailers with a length of twenty-four feet. Mr. DeGroot stated that the current length permitted for camper trailers is twenty-four feet

PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES OF JANUARY 15, 2008

and that City staff did research the length of camper trailers and found several models that were over twenty feet in length. He added that it is City staff's opinion that the permitted length of twenty-four feet is an appropriate maximum length to accommodate larger camper trailers.

The Plan Commission agreed that the maximum length permitted for camper trailers should remain at twenty-four feet.

Mr. DeGroot stated that Amendment 3(C) proposes to prohibit the outdoor overnight parking and storage of recreational vehicles on lots containing town homes and apartment units. He explained that City staff is concerned that recreational vehicles stored in common areas may create a nuisance by reducing the availability of parking for residents and visitors. He added that at the previous meeting the Plan Commission had reached a consensus that the parking or storage of such vehicles may be appropriate for lots containing town homes, but not for lots containing apartment units. He stated that City staff has revised the proposed amendment to address that concern.

Commissioner Hale stated that she thought the proposed amendment unfairly punished residents that live in multi-family complexes. She added that she feels it should be the decision of the apartment complex whether or not to allow recreational vehicles.

Commissioner Barber stated that recreational vehicles should be allowed on lots containing apartment units but that they should be separated from the passenger vehicle parking areas and appropriately screened.

Commissioners Banas, Posadzy, Warbiany, and Jarolin stated that they would like to see the proposed amendment remain as revised by City staff. Commissioners Hale and Barber stated that they would like to see the proposed amendment revised or removed.

Mr. DeGroot stated that Amendment 3(D) proposes to prohibit the outdoor overnight parking and storage of commercial vehicles on lots containing town homes and apartment units. He explained that City staff is concerned that commercial vehicles stored in common areas may create a nuisance by reducing the availability of parking for residents and visitors. He added that at the previous meeting that the Plan Commission had reached a consensus that the parking or storage of such vehicles may be appropriate for lots containing town homes, but not for lots containing apartment units. He stated that City staff has revised the proposed amendment to address that concern.

Commissioner Hale stated that she felt the proposed amendment unfairly punished residents that live in multi-family complexes.

Commission Posadzy stated that although some commercial vehicles such as taxi cabs or standard pick-up trucks are not offensive, that there are several larger commercial vehicles like box panel trucks that should not be permitted in multi-family complexes.

The Plan Commission reached a consensus that the proposed regulation should be eliminated.

PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES OF JANUARY 15, 2008

Commissioner Warbiany noted that if the proposed regulation is eliminated, then Section 13.1-13(A)(15)(c) should be revised to allow more than one commercial vehicle on lots containing apartment units.

The Plan Commission unanimously agreed.

Mr. DeGroot stated that Amendment 4 proposes to separate the regulations for patios and decks. He added that at the previous meeting Commissioner Warbiany had suggested grammatical changes to the proposed amendment to clarify that patios and decks shall be counted towards the lot coverage limitations for the zoning district in which they are located. Mr. DeGroot explained that the proposed amendment had been revised accordingly.

The Plan Commission agreed that the proposed amendment should remain as revised by City staff.

Mr. DeGroot stated that Amendment 5 proposes to amend the existing definition of driveway to state that any hard surfaced area directly adjacent and parallel to a driveway shall be considered part of the driveway. He added that at the previous meeting the Plan Commission had reached a consensus that sidewalks adjacent and parallel to driveways should not be considered part of the driveway. He stated that the proposed definition was created in conjunction with the proposed driveway regulations shown in proposed Amendment 3(A). He suggested that if Plan Commission does not agree with the amendment that it should simply be eliminated.

Commissioner Hale stated that she felt sidewalks adjacent and parallel to driveways should not be considered part of the driveway.

Commissioner Warbiany asked if such sidewalks would be permitted if there was a separation between the sidewalk and the driveway.

Mr. Harris stated the separation would have to be something that could not be driven over, such as landscaping.

Mr. Harris added that private sidewalks currently do not require a building permit and are not counted towards lot coverage.

Commissioner Warbiany stated that he felt that private sidewalks should be counted towards lot coverage and should require a building permit.

The Plan Commission reached a consensus that the proposed amendment should be eliminated.

Mr. DeGroot stated that Amendment 5 also proposes to separate the definitions for patios and decks. He explained that at the previous meeting Commissioner Warbiany had suggested revising the proposed definition of a patio to state that a patio is a hard surfaced area that rests on the ground instead of restricting it to the height of the adjoining area. Mr. DeGroot explained that City staff has revised the proposed definition accordingly.

PLAN COMMISSION/ZONING BOARD OF APPEALS
MINUTES OF JANUARY 15, 2008

Commissioner Warbiany suggested revising the definition of patio to state that it is an open, hard surfaced area entirely supported by the underlying soil or revised grade of the underlying soil.

He further added that the definition, as prepared by City staff, does not allow for a patio artificially raised and supported by retaining walls.

The Plan Commission reached a consensus that the proposed amendment should be revised as suggested by Commissioner Warbiany.

Mr. DeGroot stated that Amendment 6(A) proposes revisions to the regulations regarding temporary outside sales. He added that at the previous meeting Commissioner Lemon had suggested prohibiting items such as fertilizers, pesticides, and other dangerous chemicals as part of seasonal outside sales. Mr. DeGroot explained that City staff has revised the proposed amendment to prohibit hazardous/noxious substances as part of seasonal outside sales. He added that City staff has also prepared a definition for the term hazardous/noxious substance.

Commissioner Hale asked what impact the proposed amendment would have on other types of outside sales such as Christmas tree sales.

Mr. DeGroot explained that the proposed amendment would only apply to seasonal outside sales conducted by grocery stores and home improvement stores.

Mr. Harris read the current list of permitted temporary outside uses that have separate regulations and confirmed that the proposed amendment would only impact outside sales by grocery and home improvement stores.

The Plan Commission agreed that the proposed amendment should remain as revised by City staff.

Mr. DeGroot stated that City staff is requesting that the Plan Commission make a recommendation on all eleven of the proposed amendments. He added that the motion should clearly state which amendments are to be revised and which amendments are to be removed.

Commissioner Warbiany made a motion, seconded by Commissioner Jarolin, to approve the proposed text amendments for PC 07-20 subject to the following: Amendments 3(A) and 3(B) be removed, Amendments 3(C), 4 and 6 be revised as prepared by City staff, and Amendments 3(D) and 5 be revised as noted by the Plan Commission. Voting Yea: Commissioners Banas, Jarolin, Posadzy and Warbiany. Voting Nay: Commissioners Barber and Hale. Commissioners Hale and Barber did not support Amendment 3(C) as revised by City staff because they felt that recreational vehicles should be allowed to be parked and/or stored on lots containing apartment units.

Commissioner Jarolin made a motion, seconded by Commissioner Posadzy, to close the public hearing for PC 07-20. The Commissioners unanimously agreed. Motion carried.

6. Review of Case PC 07-20 – City of West Chicago, 475 Main Street, Text Amendments

The review of PC 07-20 was conducted during the public hearing.

7. Other Commission Business – Mr. Harris stated that the rezoning, resubdivision, and PUD amendment for Jigged Ventures, case PC 07-13, did not go before the Development Committee for consideration and is scheduled for consideration by the City Council on January 21, 2008.

8. Adjournment – Commissioner Warbiany made a motion, seconded by Commissioner Hale to adjourn the January 15, 2008 Plan Commission/Zoning Board of Appeals meeting at 8:50 p.m. The Commissioners unanimously agreed. Motion carried.

MIN011508/dd