

CITY OF WEST CHICAGO

WHERE HISTORY & PROGRESS MEET

CITY OF WEST CHICAGO PLAN COMMISSION/ZONING BOARD OF APPEALS October 6, 2009

MINUTES

Approved at the December 15, 2009 meeting

1. Call to Order, Roll Call and Establishment of a Quorum – Chairman Jarolin called the meeting to order at 7:33 p.m. Roll call found Commissioners Boyer, Balthazar, Posadzy, Warbiany, Van-der-May and Jarolin present. Commissioner Hale was absent.

Also in attendance was City Planner Jeff Harris.

2. Pledge of Allegiance – everyone in attendance participated in the Pledge of Allegiance.

3. Chairman's Comments – Chairman Jarolin reminded all in attendance to turn off or silence all electronic devices and apologized due to the late start of the meeting because of the court reporter.

4. Minutes – Commissioner Warbiany made a motion, seconded by Commissioner Posadzy, to approve the minutes of September 15, 2009. Voting Aye: Commissioners Boyer, Balthazar, Posadzy, Jarolin, Van-der-May and Warbiany. Voting Nay: None. Motion carried.

5. Public Hearing Case PC 09-18 – Rezoning of 771 W. North Avenue from ER-1 to B-3 and a Variance to the minimum required lot size.

Mr. Harris provided an overview. The applicant desires to rezone the property to bring the property back into compliance with the City's zoning regulations, given the property is currently developed as a commercial use. The site is currently considered legal non-conforming because commercial uses are not permitted in the ER-1 zoning district. All of the land surrounding the subject to the north, east and west is currently zoned B-3 in the City and is part of the Kipling Woods P.U.D. The applicant is also requesting a variance in conjunction with the rezoning to reduce the minimum lot size in the B-3 district from 5 acres to 1 acre. The subject property as it exists is 1.1 acre in area. The variance is being requested so that the site is in compliance with the lot size requirements for the B-3 district. The adjacent Kipling Woods development was granted a similar variance in August of 2007 as part of the proposed commercial component of the development.

No one was in the audience to speak for or against the petition.

Commissioner Warbiany made a motion, seconded by Commissioner Balthazar, to approve the rezoning for 771 W. North Avenue from ER-1 to B-3. Voting Aye: Commissioners Boyer, Posadzy, Balthazar, Jarolin, Van-der-May and Warbiany. Voting Nay: None. Motion carried.

Plan Commission/Zoning Board of Appeals

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475 Main Street
West Chicago, Illinois
60185

T (630) 293-2200
F (630) 293-3028
www.westchicago.org

Michael B. Kwasmann
MAYOR
Nancy M. Smith
CITY CLERK

Donald F. Earley
CITY TREASURER
Michael L. Guttman
CITY ADMINISTRATOR

Commissioner Warbiany made a motion, seconded by Commissioner Boyer, to approve the variance to reduce the minimum required lot size from five acres to one acre for 771 W. North Avenue. Voting Aye: Commissioners Boyer, Posadzy, Balthazar, Jarolin, Van-der-May and Warbiany. Voting Nay: None. Motion carried.

Commissioner Posadzy made a motion, seconded by Commissioner Van-der-May, to close the public hearing for case PC 09-18. Voting Aye: Commissioners Boyer, Posadzy, Balthazar, Jarolin, Van-der-May and Warbiany. Voting Nay: None. Motion carried.

6. Review of Case PC 09-18 – Rezoning of 771 W. North Avenue from ER-1 to B-3 and a Variance to the minimum required lot size.

The review was conducted during the public hearing.

7. Public Hearing Case PC 09-19 – Outside storage yard special use and parking lot island variance for 701 Church Street.

Mr. Harris provided an overview.

Commissioner Warbiany made a motion, seconded by Commissioner Van-der-May, to approve the outdoor storage yard special use for 701 Church Street with the following conditions:

1. The business hours of operation on shall be limited to 7:00 a.m. to 8:00 p.m. Monday through Friday and 8:00 a.m. to 7:00 p.m. Saturday and Sunday.
2. The processing of landscape or construction materials shall be prohibited.
3. The temporary office trailer located on the east side of the building and shall be removed from the SUBJECT REALTY prior to occupancy.
4. The gravel access point within the right-of-way on Church Street west of Parkside Avenue shall be removed and restored to turf prior to occupancy.
5. This special use permit shall expire seven (7) years from the date of City Council approval, unless the date of said expiration is extended by an amendment to this special use passed and approved by the Corporate Authorities of the City.

Voting Aye: Commissioners, Posadzy, Jarolin, Van-der-May and Warbiany. Voting Nay: Commissioners Balthazar and Boyer. Motion carried. Commissioners Balthazar and Boyer voted against the petition because they felt that the applicant should comply with all of the conditions set forth in the staff report.

Commissioner Warbiany made a motion, seconded by Commissioner Van-der-May, to approve the variance to not require the parking lot landscape islands for 701 Church Street with the following condition:

1. The landscape islands shall be installed in conformance with City Code if the SUBJECT REALTY is ever redeveloped, the existing storage yard fence is reconfigured/relocated so that the required parking can be installed outside of the fence enclosure, or if the City Council requires the islands to be installed as part of any future zoning approvals.

Voting Aye: Commissioners Boyer, Posadzy, Jarolin, Van-der-May and Warbiany. Voting Nay: Commissioner Balthazar. Motion carried. Commissioner Balthazar voted against the petition because he felt that the applicant did not meet the standards for the approval of the variance.

Commissioner Van-der-May made a motion, seconded by Commissioner Boyer, to close the public hearing for case PC 09-19. Voting Aye: Commissioners Boyer, Posadzy, Balthazar, Jarolin, Van-der-May and Warbiany. Voting Nay: None. Motion carried.

8. Review of Case PC 09-18 – Outside storage yard special use and parking lot island variance for 701 Church Street.

The review was conducted during the public hearing.

9. Other Commission Business. – Mr. Harris noted that the Commission will have a meeting on October 6th.

10. Previous Petitions and General Development Update. – Mr. Harris indicated that the final PUD for Prestonfield Subdivision Unit 1A, which was considered at the September 15th Plan Commission meeting, was approved by the City Council.

11. Adjournment – Commissioner Warbiany made a motion, seconded by Commissioner Boyer, to adjourn the October 6, 2009 Plan Commission/Zoning Board of Appeals meeting at 10:53 p.m. The Commissioners unanimously agreed. Motion carried.

Respectfully submitted,

Jeff Harris, City Planner

PlanComm/ZBA.MIN100609/jh