

Lake County Illinois

*Lake County Courthouse and Administrative Complex
18 N. County Street
Waukegan, IL 60085-4351*



Minutes Report

Tuesday, June 2, 2009

8:30 AM

Assembly Room

Planning, Building and Zoning Committee

1.0 Call to Order

The meeting was called to order by Vice-Chairman Mountsier at 8:31 a.m. Roll call was taken with Members Carlson, Gravenhorst, Hewitt, Mountsier, Schmidt, and Wilke present constituting a quorum.

Staff Present: Brittany Albrecht, Jeff Bell, Steve Crivello, Megan Krueger, Mike Kuhar, Bob Mosteller, Philip Rovang, Pat Tierney, Eric Waggoner

Others: Dusty Powell - County Administrator's Office, Jennie Kohen - Communications, Suzi Schmidt - County Board Chairman, Mason Aron - Property Owner, Harry Voegele - Property Owner, Maryann Voegele - Property Owner

Present 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Mountsier and Member Gravenhorst

Excused 1 - Chair Newton

2.0 Pledge of Allegiance

The group recited the Pledge of Allegiance.

3.0 Minutes

3.1 09-1552

Minutes from the May 5, 2009 PB&Z Committee Meeting

- Approval of the minutes from the May 5, 2009 PB&Z Committee Meeting.

Motion to approve the minutes from the May 5, 2009 PB&Z Committee Meeting by Member Gravenhorst, seconded by Member Hewitt. Motion passed.

approved

Aye: 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Mountsier and Member Gravenhorst

4.0 Added to Agenda Items

There were no items to be added to the agenda.

5.0 Public Comments - Items not on the Agenda

There were no items for public comment.

6.0 Chair's Remarks

Vice-Chairman Mountsier had no comments for the Committee.

6.1 Members' Remarks

There were no remarks from the Committee members.

7.0 Old Business

There was no old business to conduct.

8.0 Public Informational Meetings

There were no public informational meeting to be held.

9.0 Stormwater Management Commission

There were no items from the Stormwater Management Commission.

10.0 Unified Development Ordinance

10.1 Subdivisions

10.1.1 09-1498

Bull Creek Drive Subdivision
Variation Request to Extend Performance Period
Libertyville Township - District 11

- Due to economic conditions, the developer has indicated that construction of the improvements has not begun.
- The developer is seeking a variance to extend the performance period beyond the allotted 3 year time period with the hope that market conditions for the lots and lending practices will improve - one additional year.
- Staff has no objection to granting the variance. Staff is also recommending that the developer contact the Libertyville Township Highway Commissioner concerning the extension of the bond provided to him for road maintenance purposes.

Mr. Pat Tierney presented the staff report on the variation request to extend the performance period for Bull Creek Drive Subdivision.

Vice-Chairman Mountsier noted that he received an email from district representative Pat Carey stating that she is in favor of this request.

Motion to approve the variation request to extend the performance period for Bull Creek Drive Subdivision by Member Gravenhorst, seconded by Member Carlson. Motion passed.

approved

Aye: 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Mountsier and Member Gravenhorst

10.1.2 09-1479

Sunset Estates Subdivision
Variation Request to Extend Performance Period
Cuba Township - District 17

- Due to economic conditions, the developer has indicated that they have not had the necessary sales results to continue with construction of the improvements.
- The developer is seeking a variance to extend the performance period one additional year beyond the allotted 3 year time period.
- Staff estimates that approximately 60% of the improvements are complete.
- Staff has no objection to granting the extension.

Mr. Pat Tierney presented the staff report on the variation request to extend the performance period for Sunset Estates Subdivision.

Motion to approve the variation request to extend the performance period for Sunset Estates Subdivision by Member Carlson, seconded by Member Gravenhorst. Motion passed.

approved

Aye: 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair
Mountsier and Member Gravenhorst

10.1.3 09-1582

Newport Cove Planned Unit Development
Variation Request to Extend Performance Period
Antioch Township - District 1

- The developer is nearing the completion of the subdivision improvements and is seeking a variance to extend the performance period until October 2009 to complete the performance phase.
- Staff estimates that approximately 70% of the improvements are complete.
- Staff has no objection to granting the variance and extending the assurance as requested.

Mr. Pat Tierney presented the staff report on the variation request to extend the performance period for the Newport Cove Planned Unit Development.

Motion to approve the variation request to extend the performance period for Newport Cove Planned Unit Development by Member Hewitt, seconded by Member Wilke. Motion passed.

approved

Aye: 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair
Mountsier and Member Gravenhorst

10.1.4 09-1583

Deer Valley Estates
Variation Request to Extend Performance Assurance
Ela Township - District 17

- Staff is holding a performance assurance for landscaping
- Based on information staff has collected, none of the lots have been sold nor have improvements begun.
- Staff has notified the developer of the impending expiration date of the assurance and has requested information on their desire to complete the improvements; however, to date, no information has been received.
- Staff is willing to extend the assurance provided they receive a request from the developer to extend the assurance and confirmation from the financial institution sponsoring the letter of credit that the assurance will be extended, all applicable fees associated with the extension must also be provided.
- If an extension is granted, it should not exceed one year.
- Should staff not receive the necessary information, staff requests authorization to draw on the assurance.

Mr. Pat Tierney presented the staff report on the variation request to extend the performance period for Deer Valley Estates Subdivision until November 2009.

Vice-Chairman Mountsier stated that he is not in favor of having the landscaping installed as the development may change and the work would be unnecessary.

Mr. Tierney stated that he would like to continue working on this development, but he need to be able to draw on the letter of credit to insure that the developer is in compliance with the ordinance. If he does draw on the letter of credit, the money would be held until a decision is made.

The Committee requested that the following conditions be placed on the extension request: staff shall receive a request to extend the performance assurance along with a time schedule to complete the landscape improvements for the subdivision; staff shall receive a replacement assurance in the amount of \$46,360.00 with an expiration date of November 30, 2009 in acceptable form; the developer shall pay all applicable fees; and, should conditions one through three not be met, staff is authorized to draw on the assurance in accordance with the provisions of the Unified Development Ordinance and the terms of the assurance.

Motion to approve the variation request to extend the performance period for Deer Valley Estates Subdivision by Member Carlson, seconded by Member Wilke. Motion passed.

Mr. Rovang assured the Committee that staff would wait for further direction from the Committee if the County has to draw on the bond.

approved

Aye: 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair Mountsier and Member Gravenhorst

10.2 Zoning

10.2.1 09-1584

A Resolution on Zoning Case #3764 which consists of the petition of Mason Aron, record owner, which seeks rezoning from the Agricultural zone to the General Commercial zone.

- Subject property is a vacant 0.9 acre parcel located on the south side of Grass Lake Road 1.2 miles east of the Fox River Bridge in Antioch Township.
- Applicants have no specific plans for the use of the property although it abuts commercial zoning and uses to the west.
- Property may be purchased by the owner of the west adjoining auto repair business (but it cannot be used as part of this business without a conditional use permit).
- Although the property is wooded, it is not a protected woodland due to its size and tree species.
- Property is shown as Agricultural on County's comprehensive plan; sewer and water are not available.
- ZBA recommends approval (5-1); Planning Department staff recommends denial. See attached reports for further explanation.

Mr. Bob Mosteller presented the staff report on ZBA Case #3764 a request to rezone from Agricultural (AG) to General Commercial (GC).

Vice-Chairman Mountsier stated that he received an email message from district representative Linda Pedersen regarding the request to rezone. She stated that she had seen the property and had read the recommendations of the ZBA and the department staff,

and felt that both had valid reasons for their recommendations. She stated that she would respect the decision of the Committee with regard to this request.

Mr. Harry Voegele, 39451 N. Woodland Avenue, Antioch, IL., petitioner, stated that he has been working with Mr. Aron to purchase less than an acre of his property. Mr. Aron would retain enough acreage to use his AG zoning, and for the construction of his home. The portion of the parcel that Mr. Voegele intends to purchase is separated from the rest of Mr. Aron's current property by wetlands, which makes the portion being rezoned unusable. Mr. Voegele listed several different possible uses of the property if rezoned.

Motion to approve the request to rezone from Agricultural (AG) to General Commercial (GC) by Member Hewitt, seconded by Member Carlson. Motion passed.

recommended for adoption to the regular agenda

Aye: 3 - Member Carlson, Member Hewitt and Vice Chair Mountsier

Nay: 2 - Member Wilke and Member Gravenhorst

11.0 Permits and Enforcement

There were no items under permits and enforcement.

12.0 Planning

There were no items under planning.

13.0 Other Business

13.1 County Administrator's Report

There was no report from the County Administrator's Office.

13.2 Director's Report

Mr. Philip Rovang stated that he is pleased to present a joint venture between the Planning, Building and Development and the Communications departments to illustrate improvements within the County's application process. He stated that Ms. Jennie Kohen would provide further detail to the Committee.

13.2.1 09-1621

Lake County Permitting Process Video

Ms. Jennie Kohen provided the staff report on the Lake County Permitting Video, and the award it recently received from the National Association of County Communication and Information Officers..

The video, which is no longer in circulation, was shown to the Committee.

Some members expressed concern about the video. Staff reiterated that the video would not be shown in the future.

presented

14.0 Adjournment of the PB&Z Committee Meeting

Motion to adjourn this session of the Planning, Building and Zoning Committee by Member Hewitt, seconded by Member Carlson. There being no further business to conduct, the motion passed unanimously.

The meeting adjourned at 9:45 a.m.

	<i>Aye</i>	<i>Nay</i>
_____ <i>Chairman</i>	_____	_____
_____ <i>Vice-Chairman</i>	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Recording Secretary
Planning, Building & Zoning Committee

adjourn

Aye: 5 - Member Carlson, Member Hewitt, Member Wilke, Vice Chair
Mountsier and Member Gravenhorst