

# Lake County Illinois

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



## Minutes Report

Tuesday, January 6, 2009

8:30 AM

Assembly Room

**Planning, Building and Zoning Committee**

**1.0 Call to Order**

*The meeting was called to order by Chairman Newton at 8:35 a.m. Roll call was taken with members Carlson, Gravenhorst, Hewitt, Mountsier, Newton, Sabonjian and Wilke present, constituting a quorum.*

*Staff Present: Steve Crivello, Brad Denz, Megan Krueger, Mike Kuhar, Philip Rovang, Pat Tierney, Eric Waggoner, Sheel Yajnik*

*Others: Barry Burton - County Administrator's Office, Dusty Powell - County Administrator's Office, Lawrence Freedman - Property Owner, Shane Schneider - Manhard Consulting, Suzi Schmidt - Lake County Board Chairman, Joe Meyer - LCDOT, David Buckner - Intern*

**Present** 7 - Member Carlson, Member Hewitt, Member Wilke, Chair Newton, Member Sabonjian, Vice Chair Mountsier and Member Gravenhorst

**2.0 Pledge of Allegiance**

*The group recited the Pledge of Allegiance.*

**3.0 Minutes**

*Chairman Newton thanked Board Chairman Suzi Schmidt for allowing her to continue her work as Chairman of the PB&Z Committee. Chairman Newton welcomed the new Members to the Committee and explained her goals and objectives for the Committee and the work that they will do.*

**09-1050** Approval of the Minutes from the November 11, 2008 PB&Z Committee Meeting

*Motion to approve the minutes from the November 11, 2008 PB&Z Committee Meeting by Member Gravenhorst, seconded by Member Mountsier. Motion passed.*

*Chairman Newton stated that she only needs four signatures, therefore the new members would not need to sign the minutes.*

**Approved**

**Aye:** 7 - Member Carlson, Member Hewitt, Member Wilke, Chair Newton, Member Sabonjian, 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**

*Chairman Newton stated that rather than going through a regular roll call, she would like each of the Committee members to go around the room and introduce themselves and a little about their district.*

**6.1 Members' Remarks**

*Member Carlson stated that he represents District 7. He went on to say that he previously served on this Committee.*

*Member Wilke introduced himself and stated that he replaces Bob Powers and represents District 16 .*

*Member Hewitt introduced herself and stated that she represents District 2.*

*Vice-Chairman Mountsier stated that he continues his service on the PB&Z Committee. He represents District 17, which includes areas in Barrington and Lake Barrington.*

*Chairman Newton stated that she continues her service on the PB&Z Committee, and her role as Chairman for the Committee. She represents District 18, which is the Vernon Hills and Long Grove area.*

*Member Gravenhorst stated that she represents District 13, which is the Lake Bluff area, but that there are also unincorporated areas in her district which was one of the reasons she chose to represent the area.*

*Member Sabonjian stated that he represents District 8, which is the Waukegan area.*

**7.0 Old Business**

*There was no old business to conduct.*

**8.0 Public Informational Meetings**

*There were no public hearing or public Informational meetings.*

**9.0 Stormwater Management Commission**

*There were no items from Stormwater Management Commission.*

**10.0 Unified Development Ordinance**

*Chairman Newton explained that with the approval of the Committee*

*she wished to move item 10.3.1, Riverside Estates Subdivision, forward on the agenda so that the applicants could be heard and not have to wait.*

*The Committee agreed to Chairman Newton's request.*

10.1 09-1042

Proposed Text Amendments to Articles 10 & 11 of the Unified Development Ordinance

- Preliminary Overview of Text Amendments to the Unified Development Ordinance (UDO)
  - Article 10 Amendments
  - Article 11 Amendments

*Ms. Sheel Yajnik introduced herself to the new Committee members and provided the staff report on the proposed text changes to Article 10 of the Unified Development Ordinance (UDO).*

*Mr. Rovang explained that the new Members have not yet received a copy of the Unified Development Ordinance (UDO), but that he intended to provide that information to the new Members in the near future.*

*Member Carlson asked if the UDO was available electronically so that he could access the information easily and do a text search.*

*Mr. Rovang responded that the UDO is not available in an electronic text search format, but that it is available on the County's website. The UDO can be searched on the website.*

*Mr. Pat Tierney introduced himself to the new Committee members and provided a report on the proposed revision to Article 10 intended to make the Article more user friendly.*

*Chairman Newton stated that she had concerns on the delegation proposals. If authority is given to the Director to make decisions regarding assurance actions, she would like these actions to be reported to the Committee during the Director's Report.*

*Member Carlson asked if the Committee would have the authority to over turn a decision of the Director.*

*Chairman Newton stated that the Committee could not over turn a decision of the Director, but the petition can still request that an item be reviewed by the Committee if the decision of the Director is not acceptable.*

*Mr. Barry Burton asked where this proposed revision originated.*

*Mr. Tierney stated that this type of action has been discussed at many planning meetings. The time frame for items such as these is very tight, and it would make the waiting time less for the applicant. This delegation would allow the process to continue for the applicant and lessen the workload for the Committee. To date, the majority of these requests are approved by the Committee.*

*Member Sabonjian stated that he is hesitant to release the Committee's authority on items such as these. Member Sabonjian proposed that a third monthly meeting be added to lessen the waiting time for the applicants.*

*Member Carlson stated that if there are constituents within a district that are not satisfied with the outcome of the delegated decision, the Director may have to deal with the upset residents.*

*Mr. Rovang explained that if the Committee is ready to forward the document for a public hearing, changes can be made as required by the Members before it is placed on the PB&Z Committee for public hearing.*

*Mr. Dusty Powell suggested that a table be developed to clarify the current delegations in comparison to what is being proposed. The Committee would then be able to determine what they wish to retain and what could be delegated by the Director and Engineer.*

*Mr. Eric Waggoner introduced himself to the new Committee members and provided the staff report on the proposed text changes to Article 11 of the Unified Development Ordinance (UDO) relating to the school contribution section of the article.*

*Motion to approve Articles 10 and 11 as presented for public hearing on January 27, 2009 by Member Mountsier, seconded by Member Sabonjian. Motion passed.*

**Presented**

**Aye:** 7 - Member Carlson, Member Hewitt, Member Wilke, Chair Newton, Member Sabonjian, Vice Chair Mountsier and Member Gravenhorst

**10.2 09-1043**

Proposed Amendments to Article 8 of Unified Development Ordinance Section 8.5.7/Filling - Soil Topdressing for Floodplain Property Subsidence

- This amendment deals with the long standing flood waters that compact and contaminate the soils, resulting in dead grass and depressed or subsided areas on the property.
- The attached proposed amendment to the UDO Article 8 has been approved by the County Board (November 28, 2008) for the

Watershed Development Ordinance.

- The PB&Z Committee is asked to direct the Zoning Board of Appeals to conduct public hearing to consider the amendment to Article 8 of the UDO and refer the recommendation back to the PB&Z Committee.

*Mr. Steve Crivello provided the staff report on the proposed amendments to Article 8 of the Unified Development Ordinance (UDO).*

*Motion to approve that the proposed text amendments to Article 8 be forwarded to the Zoning Board of Appeals for a public hearing by Member Sabonjian, seconded by Member Mountsier. Motion passed.*

**Approved**

**Aye:** 7 - Member Carlson, Member Hewitt, Member Wilke, Chair Newton, Member Sabonjian, Vice Chair Mountsier and Member Gravenhorst

**10.3 Subdivisions**

**10.3.1 09-1034**

Riverside Estates Subdivision

Variation Request: Extension of the Preliminary Plat Approval

Expiration Date

Vernon Township - District 21

- The Riverside Estates Subdivision was approved as a Preliminary Plat two years ago. It is a 6-lot Conservation Single-Family Residential Subdivision with an average lot size of 36,674 square feet. The proposed subdivision is 19.71 acres zoned Residential-1 (R-1) 12.57 acres; and Open Space (OS) 5.94 acres. It is located on the northside of Riverside Road, approximately 1/3 mile east of State Route 21, in Vernon Township. The subject property is bordered entirely by the Village of Lincolnshire with the exception to the southeast corner. The applicant is Bogdan Klek.
- Section 10.2.3.N of the UDO states an approved Preliminary Plat shall lapse and be of no further effect if a Final Plat for the subject subdivision is not approved by the PB&Z Committee within 24 -months (January 30, 2009) of the Preliminary approval. The developer is requesting a one-year extension of the Preliminary Plat approval expiration date. Staff has no objection to granting the requested variation.

*This item was taken ahead of the proposed UDO text amendments.*

*Mr. Brad Denz introduced himself to the new Committee members and provided the staff report on the variance request to extend the expiration date for approval of the preliminary plat for Riverside Estates Subdivision.*

*Chairman Newton stated that she has been in contact with County*

*Board Member Ann Maine, representing this district. She has stated that she is in favor of this request. She went on to say that Ms. Maine indicated that she feels there will be more of these requests in the future due to the economy. Chairman Newton stated that she is of the same opinion.*

*Mr. Lawrence Freedman, 77 W. Washington, Chicago, Il., attorney for the applicant, stated that he is available for any questions or comments from the Committee. He stated that Mr. Shane Schneider, the engineer for the project from Manhard Consulting, was also in attendance and able to answer any questions posed by the Committee.*

*Chairman Newton stated that it is preferable to have the developer complete the project rather than to cash a bond to complete the work. She went on to say that she was appreciative of the proactive approach by the Staff to rectify the situation and allow the project to continue.*

*Motion to approve the variance to extend the expiration date for approval of the preliminary plat for Riverside Estates Subdivision by Member Gravenhorst, seconded by Member Sabonjian. Motion passed.*

**10.4 Zoning**

*There were no zoning issues to discuss.*

**11.0 Permits and Enforcement**

*There were no items for discussion under Permits and Enforcement.*

**12.0 Planning**

*There were no planning issues to discuss.*

**13.0 Other Business**

**13.1 County Administrator's Report**

*Mr. Dusty Powell introduced David Buckner, a new intern working with the County Administrator's Office and will be attending all of the upcoming Committee meetings.*

*Mr. Powell went on to say that work continues on the Central Permitting Facility in Libertyville. The project is on schedule and a move is intended for December of 2009.*

**13.2 Director's Report**

*Mr. Rovang provided a report on the Activities of the Planning, Building and Zoning Committee for 2008.*

*Mr. Rovang went on to say that staff intends to provide proposed changes to the Land Development Fee Schedule to the Committee at the next meeting.*

**13.2.1 09-1045**

Report on 4th Quarter 2008 Key Performance Measures

*Mr. Philip Rovang provided the staff report on the Key Performance Measures for the Planning, Building, and Development Department.*

*He stated that the Department has a very satisfactory response rate for the Key Performance Measures. He went on to explain to the Committee that even with the downturn in permit activity, the Department only exceeded the FY08 budget by \$50,000.*

*Chairman Newton commended Mr. Rovang and the department staff on their ability to reduce their expenditures. She went on to say that she is very pleased with the reports provided to the Committee on the Key Performance Measures.*

*Mr. Rovang went on to state that the next two consecutive meetings will be January 27, 2009 and February 3, 2009.*

*Mr. Rovang also invited the Committee members to check their calendars for a date and time at which they are available to meet with department staff to go through a quick training session. They are asked to call the department at their convenience.*

*Finally, Mr. Rovang stated that they department is working with a consultant to revise the services of the department, and he will provide an update at a future meeting.*

**14.0 Adjournment of the PB&Z Committee Meeting**

*Motion to adjourn this session of the PB&Z Committee by Member Mountsier, seconded by Member Wilke. There being no further business to conduct, the motion passed unanimously.*

*The meeting adjourned at 11:00 a.m.*



	Aye	Nay
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<i>Chairman</i>		
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<i>Vice-Chairman</i>		
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*Recording Secretary*  
*Planning, Building & Zoning Committee*  
**Adjourn**

**Aye:** 7 - Member Carlson, Member Hewitt, Member Wilke, Chair Newton, Member Sabonjian, Vice Chair Mountsier and Member Gravenhorst