

MINUTES OF THE REGULAR MEETING OF THE ZONING PLANNING & APPEALS COMMISSION OF THE VILLAGE OF METTAWA, LAKE COUNTY, ILLINOIS, HELD AT THE HOUR OF 7:00 P.M. ON WEDNESDAY JULY 26, 2017 IN THE SAVANNA ROOM OF THE HILTON GARDEN INN, 26225 N. RIVERWOODS BOULEVARD, METTAWA, ILLINOIS

I. CALL TO ORDER

Chairman Krusinski called the meeting to order at 7:02 PM.

II. ROLL CALL

Upon a Call of the Roll, the following persons were:

Present: Commissioners Clark, Leonard, Hirsch, Meluso (arrived at 7:06), Murphy, Pickell and Chairman Krusinski

Absent: None

Chairman Krusinski declared a quorum present.

Also present: Village Clerk, Sandy Gallo; Village Attorney, Gregory T. Smith of Klein, Thorpe & Jenkins, Ltd, Village Administrator, Bob Irvin

III. APPROVAL OF MINUTES:

The ZPA meeting minutes for June 27, 2017 were reviewed. Commissioner Pickell had a correction on page 4; the principle structure should be 35 feet high as a maximum structure. It was moved by Commissioner Leonard and seconded by Commissioner Pickell that the minutes of the ZPA Meeting on June 27, 2017 be approved and be placed on file.

Upon a call of the roll the following voted:

Aye: Commissioners Clark, Leonard, Hirsch, Meluso, Murphy, Pickell and Chairman Krusinski

Nay: None

Absent: None

Chairman Krusinski declared the motion carried and placed the minutes on file.

IV. CALL OF CASES:

None

V. COMMUNICATIONS:

None

VI. REVIEW OF REPORTS OF COMMISSION COMMITTEES:

None

VII. OLD BUSINESS:

Continued Workshop Meeting Regarding Potential Amendments to the Village of Mettawa Zoning Ordinance

Chairman Krusinski stated this Workshop will be utilized to make our final modifications to the amendments in preparation for the September 5th, Public Hearing.

Village Attorney Smith said two documents were provided to the Commissioners. The first document is the Sixth Memorandum reflecting the progression of the meetings amendment changes outcome. The second document is a consolidation of the modifications made to each amendment.

Commissioner Clark stated part of the discussions included that accessory buildings should be listed as having a maximum of 2,000 square feet per structure. The documents did not include this limitation. Village Administrator Irvin said an accessory building is not limited to 2,000 square feet only as a permitted use. Village Attorney Smith said the definition of an accessory building's allowable square feet is further defined within each district. Village Attorney Smith said any additional accessory building after 3 structures requires a special use permit; in addition, any accessory structure over 2,000 square feet also requires a special use permit.

Chairman Krusinski stated the Draft Memo dated July 18, 2017, will be the guiding document for this meetings approve process for each amendment to ensure all changes are captured.

1. *Residential Lot Coverage*: Chairman Krusinski stated the major change to this amendment was the limiting number of 3 accessory buildings and no more than 3% of the area of such lot can be built without a special use permit. Commissioner Leonard inquired why on page 1 within the Building section; items that are not allowed within the Village were still listed. Village Administrator Irvin said the listing is not allowable items; this is just a definition to ensure you can find the information. Commissioner Hirsch asked if we really needed to include arena as an accessory building. Village Attorney Smith replied on page 1 under the accessory building definition, it was defined any building that is not the principle building is an accessory building.

2. *Minimum House Size*: Chairman Krusinski stated the minimum house size requirement was not approved by the Village Board at a prior request but this appeal will be proposed once again. The Commissioners requested to remove the words, "the ground floor" from Section 15.1304 (G) of page 2. Chairman Krusinski asked the Village Attorney Smith if a provision could be included within the residential structures indicated when a catastrophe occurs the resident be able to rebuild their house at their existing square footage. Village Attorney Smith said he will propose some language for a resident to be able to rebuild in the event of a catastrophe.

3. *Short Term Residential Rental Regulations*: The Commissioners approved the definition for the short term rental included on page 3.

4. *Amortization of Non-Conforming Uses*: The Commissioners approved the clean-up language within this amendment.

5. *Zoning Application Fees*: Village Attorney Smith stated there are currently eight different zoning application fees pertaining to a submission of an application. This amendment will reduce the variances fees into one at \$250.00; any professional fees will be passed onto the applicant.

6. *Time Limit for Appeal From Zoning Administrator's Decision*: Village Attorney Smith said this recommendation was made to add the 45 day time limit for making appeals from the Zoning Administrator's decision consistent with the State law. The second change to this amendment included the Zoning Administrator to coordinate with the Village Clerk, communication of public hearings to be posted on the Village website; and an email to be sent at least 15 days prior to the hearing regarding the application to be heard. Chairman Krusinski added the communication efforts are to ensure transparency to the residents on the applications received within the Village.

7. *Variation for Places of Public Assembly*: The consensus was to table this amendment until an application has been submitted from St. Basil Church.

8. *Large Stable Requirements*: Chairman Krusinski stated we spoke about a license operator; this is not being included as an amendment change. Village Administrator Irvin said this role can be made as a recommendation to be reviewed at a later time. Commissioner Leonard asked why public boarding was removed within large stables on page 5. Village Attorney Smith said section 15.1303 pertains to R-2 district activity. As a result, Village Attorney Smith stated language can be added in the R-1 district to ensure no public boarding is allowed. Commissioner Clark said on Section 15.1202(C)(3) on page 6, the single-family residence R-1 district no horse shall be permitted on any lot which does not contain at least 80,000 contiguous square feet. Commissioner Clark indicated this should reflect 200,000 contiguous square feet. Village Attorney Smith said the R-1 square feet will not be changed. Village Administrator Irvin said as the large stables with SUPs request to add an accessory building they still need to comply with the Village code as stated. Chairman Krusinski stated the maintenance mentioned on Section 15.1209 #1; it includes elevation upgrade to the existing structure. Chairman Krusinski clarified elevation increase is prohibited by the Village. Village Administrator Irvin said the Village does have control on SUPs materials because site plans need to be provided for approval. Village Administrator Irvin added SUPs that deviate from the approved materials or specs are in violation when the structure is not built from the approved SUP. Commissioner Clark stated on page 7, under #4 Conduct of stable operations; a list should be included to encompass all horse events. Chairman Krusinski asked Commissioner Clark and Commissioner Leonard to create a comprehensive list of the various horse events to include in this section. The completed list will be sent to Village Attorney Smith.

Village Administrator Irvin questioned the statement on page 6 within Section 15.1202 (C)(3), if a resident who rents their house and barn, are the renters permitted to own horses. Village Attorney Smith said horses are only permitted on a lot in which the occupant is a resident. Village Attorney Smith said a resident must reside on the lot. Commissioner Leonard stated horses are only allowed on a parcel if a resident is residing on the lot.

9. *Definition of Commercial use:* Village Attorney Smith said the commercial use definition will be modified to include, a commercial use is prohibited use except otherwise permitted. Resident, Rich Fantus (14253 Riteway Road) asked if horse boarding was considered an agricultural use. Village Attorney Smith said the Zoning Administrator decided that horse boarding is not considered an agriculture use. Commissioner Leonard added according to Lake County, boarding horses is not an agriculture use.

10. *Increase in Maximum Accessory Structure Size without a Special Use Permit:* Chairman Krusinski stated no changes were made to this amendment.

11. *Move Requirements From Section 15.105 and 15.106 Into the Zoning Districts Chapters:* Chairman Krusinski stated no changes were made to this amendment.

12. *Add A "Use It Or Lose It" Requirement For Special Uses:* Chairman Krusinski said the conditions listed on this amendment are consistent with other municipalities.

13. *Height Of Structures in the R-1 and R-2 Zoning District:* Commissioners Pickell said you have to identify where you want to measure. Village Attorney Smith said he will remove the ceiling level height indicator for R-1 and R-2. Village Administrator Irvin said the average grade relating to the height has not impacted any residents; therefore, we should keep the amendment as is. Commissioner Meluso stated the maximum height for an accessory building of 30 feet is still questionable and high. Chairman Krusinski has requested to reflect an accessory building height number change from 30 to 26 maximum height.

Resident, Rich Fantus (14253 W. Riteway Road) questioned if horses can be left on a pasture for 12 hours a day unattended. Commissioner Leonard questioned if leasing out a pasture to a different resident for their horse, if it was a permissible use in the Village. Commissioner Leonard said the Village ordinances states no horses can be held on the property without a resident residing on the land.

VIII. NEW BUSINESS:

IX. ADJOURNMENT:

With no further business to discuss, it was moved by Commissioner Clark, seconded

by Commissioner Leonard that the meeting be adjourned.

With unanimous consent, Chairman Krusinski declared the motion carried and the meeting adjourned at 8:51 PM.

Sandy Gallo, Village Clerk