

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING OF THE MAYOR AND BOARD OF TRUSTEES AND THE ZONING, PLANNING AND APPEALS COMMISSION OF THE VILLAGE OF METTAWA, ILLINOIS, HELD AT THE HOUR OF 7:00 P.M. ON NOVEMBER 12, 2018 IN THE SAVANNA ROOM OF THE HILTON GARDEN HOTEL, 26225 N. RIVERWOODS BOULEVARD, METTAWA, ILLINOIS

A. CALL TO ORDER

Mayor Urlacher called the meeting to order at 7:00 p.m.

B. ROLL CALL

Upon a call of the roll, the following were:

Present: Trustees Bohm, Brennan, Maier, Pink, Towne and Mayor Urlacher

Absent: Trustee Sheldon

Upon a call of the roll the following were:

Present: Commissioners Clark, Leonard, Meluso, Murphy, Pickell and Chairman Krusinski

Absent: Commissioner Hirsh-Bollhoffer

Mayor Urlacher declared a quorum present.

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

C. NEW BUSINESS

Presentation of the Mettawa Zoning Ordinance Technical Review Report

Mayor Urlacher stated today Ms. Arista Strungys will present the Camiros zoning ordinance technical report. The Village Board hired Camiros to complete a comprehensive review of the Village zoning ordinances. While the ZPA had done extensive work and studied specific amendments to the zoning ordinance, the Board believed it was prudent to have an external review of the ordinances for any other changes including a reorganization for easier use by all. Mayor Urlacher said the Village Board has approved 7 of the 12 recommendations made by the ZPA. The remaining amendments will be reviewed at a later time. Rather than having two separate meetings, the Village Board and the ZPA will have a joint meeting to hear Camiros' presentation. The Camiros report has been available to all of the residents through the Village website since the end of October. Mayor Urlacher added no decisions nor voting will take place tonight. In fact, we may or may not agree with the full Camiros' report. After tonight's presentation, we will defer to the ZPA to make their final recommendations to the Village Board. Any final recommendations will require a public hearing, to allow residents ample time to voice their opinions.

Arista Strungys from Camiros stated she reviewed the zoning ordinance in pursuit of a comprehensive review and to rewrite some areas of the ordinance. This process included looking at the current ordinance, improving the organization in some sections and making recommendations to clarify definitions to reduce the need for interpretation.

The Camiros report can be found on the Village website under the following heading: News/Proposed Amendments to Zoning Code/Meeting to Review Technical Report.

Mayor Urlacher thanked Ms. Strungys for the Camiros suggestions. The following report will be referred back to the ZPA to review the suggestions in a workshop, followed by a public hearing before making any recommendations to the Board.

Resident, Karen Carruthers asked how does the zoning ordinance interact with the animal control zoning ordinance. Ms. Strungys stated the zoning ordinance has the same language within the animal control ordinance. Ms. Strungys recommends if the count of animals or type of animals is amended, the other section should reflect the same updates. Village Administrator Irvin said the animal enforcement code does list the maximum number of animals; however, it does not elaborate on the property requirements that correlate to the number of animals allotted. In addition, under the exotic animals' code, it indicates residents are required to receive official approval from the Village Mayor and Trustees. Village Administrator Irvin said we should consider eliminating the animal control ordinance within the zoning code. Village Administrator Irvin said he is currently reviewing the animal control ordinance and other similar matters to make recommendations for the Board to discuss.

Resident, Dorothy Kruglick stated within the section relating to large barns as a primary structure, it indicates existing barns can stay and no new requests would be approved. Ms. Kruglick asked if this statement is defensible in court. Ms. Strungys replied the use would be created as a commercial stable use, not referencing the structure but what the property is being utilized for, yes it can withstand in court.

Resident, Tom Heinz asked if the scenic easement referred on page 7 currently existed. Village Administrator Irvin said yes, it is currently listed in the zoning code. Scenic easements are set as the 75-foot easement requirement on all major roads. Mr. Heinz said he is also in full agreement of approving the removal of the minimum dwelling size amendment. Mr. Heinz said he has not heard of FAR (floor area ratio) reporting. Ms. Strungys stated FAR has been transitioning out because it really applies to smaller structures or single-family homes.

Resident, Adam Lyons said limiting a structure's height can reduce the creativity of the development.

Resident, Rick Philips said he too is in favor of eliminating the minimum dwelling size. Mr. Philips asked Ms. Strungys why she included the suggestions of eliminating the minimum dwelling size in her report. Ms. Strungys said her professional opinion is that

she does not know if you really want to discourage an owner to build a smaller structure on the lot.

Mr. Heinz said he would like to eliminate the restriction of being able to use pre-fabricated material.

Mr. Lyons said the zoning code should consider offering some incentive to use more eco-friendly building materials for their lot coverage structures. Ms. Strungys said lot coverage and impervious surface are mixed together and those details would need to be revised.

Mr. Heinz asked if the accessory structure limitation of 3 been approved. Village Administrator Irvin said no. The Board has not approved this recommendation. Mr. Heinz stated the larger resident lots of 5 or 10 acres should not be limited to 3 structures.

Mr. Heinz asked if the height limitation from 45 feet to 30 feet has been approved. Village Administrator Irvin said the height recommendation has already been approved by the Board. Mayor Urlacher said the structure on Old School Road was built at the maximum height of 45 and the surrounding residents remarked on the extreme height of that structure. As a result, ZPA studied the heights limitation and 30 feet was recommended. Commissioner Leonard said she would like to clarify this height limitation is on accessory structures not on principal structures.

Resident, Dr. Richard Fantus said he approves of Camiros organization ideas presented. Dr. Fantus said he would like clarity on the number of accessory buildings over 2,000 square feet or are only 3 buildings allowed. Ms. Strungys said the current recommendation is for 3 larger structures over 2,000 square feet not the small structures under the square feet noted.

Dr. Fantus asked who can make changes to their lot and are those residents who have already reached their 5% allotted structures still able. Ms. Strungys said this ability to add to your allotted amount is only if you are below the 5%.

Resident, Bob Price asked Ms. Strungys how many barn owners she spoke to during her review process. Mayor Urlacher said Ms. Strungys did not speak to any barn owners under his direction. Mayor Urlacher said to Mr. Price, you will have an opportunity to express your opinion at the ZPA meeting, the public hearing and at the Village Board meeting when the recommendation is being heard. Mr. Price stated he reviewed the Camiros website and their field of work did not include a Village with a large number of barn owners. Ms. Strungys said their website does not include all of the rural locations she has supported. Mayor Urlacher said we have many Trustees and Commissioners who have worked or owned large barns to have provided the appropriate level of experience for Camiros.

Resident, Judy Friedman asked Ms. Strungys how do you see the future of the Village. Ms. Strungys said the Village has its own uniqueness and culture, the direction of this town is

directed by the Comprehensive Plan. Ms. Strungys stated the townhouses included in the plan were based on what she heard during the interview process for that specific location. Ms. Friedman asked if any monetary land value was involved for the proposed building. Ms. Strungys said no proposal has been made to change the zoning map nor did we complete any type of economic evaluation for this location.

Ms. Friedman asked during the height restriction evaluation did you consider the lot size or shape. Ms. Strungys said we did not make any proposal to change the principal height. Ms. Strungys said we can review how a structure's height is measured, include surrounding topography and the unevenness of the lot, which can impact the measurement.

Ms. Friedman asked Ms. Strungys her opinion regarding the current rule of one horse per acre as an old established rule. Ms. Strungys said we only reviewed this matter to distinguish between commercial versus accessory uses.

Dr. Fantus asked what the decibel rating would be for the wind turbines. Ms. Strungys said prior resident were set at 60 decibels maximum. Ms. Strungys said she can research this matter if the Village foresaw the need to indicate the rating.

Dr. Fantus asked about the one-time variation for the church. He said the small community church in the Village has grown and the Sunday services creates parking violations. Dr. Fantus stated he does not approve of the one-time variation ruling for this location.

Mr. Heinz said the report indicates 6-8 chickens. Mayor Urlacher said this matter will be discussed on December 4th.

Mr. Heinz said horses are regulated under two categories, one being a commercial principal use and the other as an accessory use in the residential district. The required square feet include 40,000 square feet per horse owner. Village Administrator Irvin confirmed that it's the current Village code.

Mr. Heinz asked if the Village is considering approving wind technology. Mayor Urlacher said the ZPA has not discussed this matter. Mayor Urlacher said resident Mike Ruppe brought up this matter during a Board meeting and asked if he could install solar panels. As a result, Camiros included it in the report. Mr. Heinz asked if solar panels could be installed on the ground not on the roof. Ms. Strungys said regulations can be made for free standing versus the home.

Dr. Fantus asked if the suggestion was to have 10 pigs per lot. Ms. Strungys said no, it's a sample number. A study would need to be completed to set standards.

Dr. Fantus asked if the number of beehives would be standardized and if they were approved in the Village. Commissioners Leonard said the Lake County has regulations for beehive owners. Village Administrator Irvin said the Village code is silent regarding this matter.

Mayor Urlacher said should the Board or the ZPA see the need for additional time from Camiros to support our discussions, the Village Board will need to approve the additional expense.

Chairman Krusinski asked Ms. Strungys to elaborate on the limitation removal included in the variation application. Ms. Strungys said typically there is no limitation for what a zoning variation can be applied for or granted. Having standards in place are necessary; however, a hardship needs to be proven too. Chairman Krusinski said we will need to wordsmith this section.

Chairman Krusinski asked Ms. Strungys to clarify the special use continued on the existing large stables and asked if this would require zoning revisions. Ms. Strungys said the recommendation was placed to distinguish between the personal keeping of the barn as an accessory use versus a commerce stable. Ms. Strungys said existing stables would be considered a principal use. No new ones would be granted and we would work with the Village Attorney to treat them as a special use but a special use that you can no longer request. Ms. Strungys said we would work with the current recommendation and elaborate it further.

Mrs. Kruglick asked if a purchase of 20 acres were made and you wanted to build a 7-horse barn, could the owner apply for a variance under an accessory building usage. Village Administrator Irvin said no, and you could only have 5 horses. The current recommendation only allows a maximum of 5 horses.

Trustee Bohm asked Ms. Strungys how does Mettawa compare to other municipalities regarding the number of zoning regulations and zoning areas. Ms. Strungys said Mettawa has fewer zoning districts from other communities. Ms. Strungys added Mettawa does not have areas of development, complex commercial corners nor a mall which requires additional regulations.

Dr. Fantus asked Ms. Strungys are the existing large stables considered commercial stables. Ms. Strungys said we may need to consider the definition to better understand if a large stable is a commercial stable. Village Administrator Irvin said the distinction would be under the commercial definition. The Village has approved a large stable to be built in the R-2 district. yet it has to be built. The commercial term may be incorrect as for a large stable requires a special use. The Village has large stables that are not boarding stables.

Mayor Urlacher asked for a motion to authorize the report to be sent to the ZPA. The motion was moved by Trustee Maier and seconded by Trustee Bohm.

Upon a Call of the Roll, the following persons were:
Aye: Trustees Bohm, Brennan, Maier, Pink and Towne
Nay: None
Absent: Trustee Sheldon

Mayor Urlacher said the motion carries.

Village Administrator Irvin asked Chairman Krusinski to confirm a quorum for the December 4th ZPA meeting. Chairman Krusinski said we have a quorum and it will be workshop.

D. ADJOURNMENT

With no further business to conduct, it was moved by Trustee Brennan and seconded by Trustee Pink that the meeting be adjourned.

Upon a call of the role, the following voted:

Present: Trustee Bohm, Brennan, Maier, Pink and Towne

Absent: Trustee Sheldon

Upon a call of the roll the following were:

Present: Commissioners Clark, Leonard, Meluso, Murphy and Pickell

Absent: Commissioner Hirsh-Bollhoffer

Mayor Urlacher declared the motion carried and the meeting adjourned at 8:18 p.m.

Sandy Gallo, Village Clerk