

MINUTES OF THE SPECIAL 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 TUESDAY, JANUARY 5, 2021 THROUGH ZOOM

I. CALL TO ORDER:

Chairman Krusinski called the meeting to order at 7:03 PM.

The Village meetings are being conducted in accordance with the Open Meetings Act, the Governor's Disaster Proclamation and the Governor's Executive Order which provides that meetings attended by more than 25 persons are not feasible, an in-person meeting is not practical nor prudent at this time. Therefore, the meeting is being conducted in a virtual conference format.

II. ROLL CALL:

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

Present: Commissioners Clark, Meluso, Pelech, Pickell and Chairman Krusinski

Absent: Commissioner Fantus and Leonard

Chairman Krusinski declared a quorum present.

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

III. APPROVAL OF MINUTES:

The ZPA Special meeting minutes for December 10, 2020 were reviewed. It was moved by Commissioner Clark and seconded by Commissioner Pelech that the meeting minutes of the December 10, 2020 be approved and be placed on file.

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

Aye: Commissioners Clark, Meluso, Pelech and Chairman Krusinski

Not Heard: Commissioner Pickell

Absent: Commissioners Fantus and Leonard

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

IV. CALL OF CASES:

Chairman Krusinski indicated that for the information of everyone who is attending the virtual meeting, the work of the Zoning, Planning, and Appeals Commission consists of reviewing matters brought before us that affect zoning and planning in the Village. The Commission is a fact-finding body and has no final authority. As a result, the Commission makes no final decisions regarding any matter, but only makes recommendations to the President and Board of Trustees of the Village of Mettawa based upon the testimony presented.

a. Chairman Krusinski called the public hearing for Case Numbers 20-TA-1 and 20-SU-1 to order

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

Present: Commissioners Clark, Meluso, Pelech, Pickell and Chairman Krusinski

Absent: Commissioners Fantus and Leonard
Chairman Krusinski declared a quorum present.

Chairman Krusinski indicated this is a continuation of the public hearing on Case Numbers 20-TA-1 and 20-SU-1. The applicant is seeking a text amendment to Section 15.1106 (H) of the Village of Mettawa Zoning Ordinance and for a Special Use for a Place of Public Assembly located within an R-1 single-family residential district at 14077 W. Old School Road, Mettawa Illinois.

In attendance for St. Basil's Serbia Orthodox Church representatives include; Father Ilija Balac as the Architect, Mark Toberman the Civil Engineer and Danielle Grcic the church's attorney.

Dr. Richard Fantus (14253 W Riteway Road) was present at this meeting.

Village Attorney Rhodes entered to the record the Long-Term Strategic Vision and Planning document from St. Basil's as **Exhibit 6**. Ms. Grcic stated the applicant objects to the following document being entered as an exhibit, as the foundation was not meant for this document nor discussion was not from the applicant's standpoint. Chairman Krusinski added this document was referenced during the public hearings. Exhibit 6 was admitted into evidence by the Commission.

The full discussion of this case can be read in the court reporters' transcript.

Following deliberations, a motion was made that 15.1106 (H) be amended as follows: Notwithstanding anything to the contrary, an existing place of public assembly established prior to December 19, 2006 may be altered or expanded only in conformance with the following; 1) the place of public assembly shall petition for and receive a special use permit for such use and the place of public assembly shall comply with the all conditions set forth for the special use; 2) the gross floor area of all buildings and structures in the place of public assembly shall not exceed 2200 square feet per acre; 3) with a maximum lot coverage of 30% based upon the current standards; 4) the provisions of 15.1106 shall apply unless varied pursuant to the standards of the Mettawa Zoning Code.

The motion was moved by Commissioner Pickell and seconded by Commissioner Clark.

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

Aye: Commissioners Clark, Pelech, Pickell and Chairman Krusinski

Nay: Commissioner Meluso

Absent: Commissioners Fantus and Leonard

Chairman Krusinski declared the motion carried.

Village Attorney Rhodes added if the text amendment is approved by the Board, the petitioner will come back to the ZPA with revised plans to request for a special use. No motion was made for a special use for this case.

A motion was made to allow the Chairman to prepare a Findings of Fact to be presented to the Mayor and Board of Trustees and the ZPA Commissioners will review before submittal. The motion was moved by Commissioner Clark and seconded by Commissioner Pelech.

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

Aye: Commissioners Clark, Pelech, Pickell and Chairman Krusinski

Nay: Commissioner Meluso

Absent: Commissioners Fantus and Leonard

Chairman Krusinski declared the motion carried.

The Chairman Krusinski closed the deliberation of the St. Basil's Church zoning application at 8:45 pm.

b. Chairman Krusinski called the hearing on docket number Case Number 20-V-S-1 to order at 8:46 pm.

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

Present: Commissioners Clark, Meluso, Pelech, Pickell and Chairman Krusinski

Absent: Commissioner Fantus and Leonard

Chairman Krusinski declared a quorum present.

Chairman Krusinski stated this case is a continuum on application Case Number 20-V-S-1 for a variation to Section 15.1204 (C) Minimum Side Yard and Section 15.1204 (F) Maximum Lot Coverage on the Property legally described as 14175 W. Old School Road, Mettawa IL.

In attendance for this application was, Maria Rojas the property owner and her attorney Dan Shapiro.

Village Attorney Rhodes stated the following documents will be received as exhibits for this case. **Exhibit 5**, Site survey showing encroachment; **Exhibit 6**, Interior kitchen photos of the addition (5 pictures); **Exhibit 7**, Rojas aerial photos of the applicants property from Lake County GIS mapping for years 2000, 2005, 2006, 2008, 2009 and 2010; **Exhibit 8**, Chamberlin Masses Engineering site plan dated November 3, 1989; **Exhibit 9**, Chamberlin Masses Engineering plat of survey last dated August 30, 1991; **Exhibit 10**, Jeffrey Heaney architect site plans dated July 18, 1993; **Exhibit 11**, Rojas information email from Dan Shapiro dated December 16, 2020 (an additional email dated December 4th will be included); **Exhibit 12**, Village Engineer Yamin email dated December 22, 2020 a review of Dan Shapiro's letter; **Exhibit 13**, Marked lot calculation tabled provided by James Anderson dated October 15, 2019.

No objectors were recorded for this case. The full discussion of this case can be read in the court reporters' transcript.

After deliberations by the Commission, a motion was made to deny the variation to Section 15.1204(C) to allow the encroachment into the side yard. The motion was moved by Commissioner Clark and seconded by Commissioner Meluso.

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

Aye: Commissioners Clark, Meluso, Pelech, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Fantus and Leonard

Chairman Krusinski declared the motion carried.

A motion was made to deny the request for a variation to Section 15.1204 (F) which is a variation to the maximum lot coverage requirement of 15 % in the R-1 zoning district. The motion was moved by Commissioner Clark and seconded by Commissioner Pelech.

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

Aye: Commissioners Clark, Meluso, Pelech, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Fantus and Leonard

Chairman Krusinski declared the motion carried.

A motion was made to allow the Chairman to draft the Findings of Fact on this matter and report the recommendations to the Mayor and Board of Trustees. The motion was moved by Commissioner Clark and seconded by Commissioner Pelech.

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

Aye: Commissioners Clark, Meluso, Pelech, Pickell and Chairman Krusinski

Nay: None

Absent: Commissioners Fantus and Leonard

Chairman Krusinski declared the motion carried.

V. COMMUNICATIONS:

VI. REVIEW OF REPORTS OF COMMISSION COMMITTEES:

VII. OLD BUSINESS:

VIII. NEW BUSINESS:

IX. ADJOURNMENT:

With no further business to discuss, it was moved by Commissioner Pelech seconded by Commissioner Clark that the meeting be adjourned.

With unanimous consent, Chairman Krusinski declared the motion carried and the meeting adjourned at 9:41 pm.

Sandy Gallo, Village Clerk