

MINUTES OF THE PLAN COMMISSION
February 11, 2008

A special meeting of the Plan Commission was called to order by Chairman Kurt Hezner at 7:41 p.m. at the Village Hall.

Members present: Chairman Kurt Hezner, William Cotey, Terry Howard, Howard Jaffe, Mark Moore, Walter Oakley, and Andy Robinson.

Members absent: None.

A quorum was established.

Village Staff present: David Smith, Senior Planner.

Commissioner Moore moved, seconded by Commissioner Jaffe, to approve the January 14, 2008, Plan Commission meeting minutes, as amended.

Motion carried 7 - 0.

OLD BUSINESS:

PC 07-04 Village of Libertyville, Applicant
118 W. Cook Avenue

Request is for amendments to Chapter 26 of the Libertyville Municipal Code.

Mr. David Smith, Senior Planner, stated that Staff has reviewed proposed changes to Article 14 of the Zoning Code relative to Nonconformities.

Mr. David Pardys, Village Attorney, stated that the proposed change to Article 14-2 regarding the extension of uses will provide better protection.

Ms. Marie Hertel, 619 North First Street, stated that her home is on a non-conforming lot and has been the market for 3-1/2 years. She stated that she has asked how many non-conforming lots there are in the Village.

Chairman Hezner stated that Ms. Hertel has the option of combining her lot with the neighboring lots in order to make it a legally conforming lot.

Ms. Hertel stated that consolidating the lots would work only if the owner of the neighboring lot is willing to sell their lot. She stated that her property taxes continue to increase year after year. She asked what the status is of the F.A.R. regulation. Chairman Hezner stated that the study of implementing an F.A.R. regulation is currently on-going.

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Mr. Pardys stated that Ms. Hertel's issue may be different than the currently proposed text amendment for Article 14.

Ms. Hertel stated that she is at a disadvantage and would like the Code to be changed.

Chairman Hezner stated that Ms. Hertel has other options.

Commissioner Cotey stated that consideration could be given to allowing undersized non-conforming lots to be designated properties for affordable housing. He stated that in regard to the proposed text amendment, there should be some mechanism that provides relief to non-conforming uses who may seek expansion within a district they already are occupied in.

Mr. Pardys stated that in response to identifying non-conforming lots in size as affordable housing sites, it may de-value those parcels without the property owner's permission.

Commissioner Jaffe stated that consideration could be given to the proposed text amendment that there should be some mechanism that provides relief to non-conforming uses who may seek expansion within a district they already are occupied in.

Mr. Pardys stated that he will re-exam the language and revise the proposed text amendment to provide relief to non-conforming uses who may seek expansion within a district they already are occupied in.

Ms. Hertel stated that the Village should compile a list of non-conforming lots of size.

Commissioner Cotey stated that Article 14-4 regarding Nonconforming Lots of Record should be re-examined regarding the 70% lot area and 75% lot width minimums.

In the matter of PC 07-04, Commissioner Robinson moved, seconded by Commissioner Howard, to continue this item to the February 25, 2008, Plan Commission meeting.

Motion carried 7 - 0.

NEW BUSINESS: None.

COMMUNICATIONS AND DISCUSSION:

Mr. Smith announced that the Appearance Review Commission will review schematic plans for the proposed parking deck to be located at the southeast corner of Brainerd Avenue and Lake Street at their February 18, 2008 meeting. He stated that all are invited to this meeting including the members of the Plan Commission.

Commissioner Jaffe moved and Commissioner Howard seconded a motion to adjourn.

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Motion carried 7 - 0.

Meeting adjourned at 8:35 p.m.