

MINUTES OF THE PLAN COMMISSION
August 22, 2011

The regular meeting of the Plan Commission was called to order by Chairman Mark Moore at 7:32 p.m. at the Village Hall.

Members present: Chairman Mark Moore, William Cotey, Dan Donahue, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: Scott Adams.

A quorum was established.

Village Staff present: John Spoden, Director of Community Development; and David Smith, Senior Planner.

Commissioner Cotey moved, seconded by Commissioner Oakley, to approve the July 25, 2011, Plan Commission meeting minutes.

Motion carried 6 - 0.

OLD BUSINESS:

PC 10-46 118 West Cook Avenue
Village of Libertyville, Applicant

Request is for an amendment to Chapter 26 of the Libertyville Municipal Code in order to revise and adopt the Libertyville Zoning Code.

Mr. John Spoden, Director of Community Development, introduced proposed changes to Section 16 of the Zoning Code. He stated that the section regulating the issuance of Zoning Certificates has been removed as Planning Division reviews plans for Zoning Code compliance as part of the Building Permit review. The removal of the Zoning Certificate section is intended to alleviate confusion by applicants.

Commissioner Oakley stated that the Village should make a more concerted effort to be in compliance with the Federal Paper Reduction Act and do more distribution electronically and less with actual hard copies.

Mr. Spoden stated that he will discuss this issue with David Pardys, Village Attorney, and make efforts to control the use of paper internally within the department.

Commissioner Oakley stated that there appears to be discrepancies in the Zoning Code with the use of the words "denying" and "granting" in Sections 16-7.4 and 16-8.4.

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Mr. Spoden stated that he will consult with the Village Attorney regarding the text language discrepancy pointed out by Commissioner Oakley.

Commissioner Oakley asked for clarification of meaning regarding Zoning Code Section 16-8.5(a)(1) regarding the Village Board having the authority to grant setback variations up to 100%.

Mr. Spoden stated it was changed during the Mayor Laska administration due to a philosophical view point.

Commissioner Oakley asked how the draft wind turbine ordinance will be affected by 16-8.5(a)(4) regarding the Village Board having the authority to grant height variations. He stated that he is concerned about building mounted turbines being allowed to increase in height in an obtrusive manner.

Mr. Spoden stated that the Code section pointed out by Commissioner Oakley shall apply to wind turbines as well.

Mr. Spoden introduced 'Minimal Relief Variations' for Section 16 of the Zoning Code. He stated that this new section will allow for a variation from the strict application of the zoning ordinance for any single-family, single family attached and two-family uses. He stated that an MRV may be used only when the relief sought varies by ten percent (10%) or less from the numerical requirements of the Zoning Code. He stated that an MRV applies only to structures and not to uses. He stated that an MRV may only be granted for Minimum Yard requirements for front, rear and corner side yard setbacks. He stated that the MRV shall not be granted for any Specified Structures or Uses in Required Yards which are permitted under the Zoning Code. He stated that once surrounding property owners are noticed and do not submit a written objection of the MRV, the public hearing may be waived thus reducing the typical time-line otherwise required for a standard variation request. He stated that the Village of Northfield uses a similar process.

Commissioner Oakley stated that he is concerned that the public hearing aspect of the MRV process could be waived.

Chairman Moore stated that he is also concerned that the public hearing aspect of the MRV process could be waived.

Commissioner Oakley asked if the MRV process would apply to Planned Developments. Mr. Spoden stated that Planned Developments are a separate review and approval process.

Commissioner Schultz stated that the MRV process could benefit the petitioner by saving some time.

Chairman Moore asked how often the Village of Northfield uses their MRV process. Mr. Spoden stated that they do not use it often.

Commissioner Schultz stated that he likes the MRV concept.

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Commissioner Cotey stated that he likes the MRV concept.

Mr. Spoden introduced additional changes to Zoning Code Table 16-1 regarding minimum required land area for Planned Developments.

Mr. Spoden requested that this matter be continued to the September 12, 2011 Plan Commission meeting.

In the matter of PC 10-46, Commissioner Donahue moved, seconded by Commissioner Schultz, to continue this item to the September 12, 2011, Plan Commission meeting.

Motion carried 6 - 0.

Ayes: Moore, Cotey, Donahue, Oakley, Schultz, Semmelman

Nays: None

Absent: Adams

NEW BUSINESS: None.

COMMUNICATIONS AND DISCUSSION:

Mr. Spoden stated that Volkswagen Credit will be before the Plan Commission requesting a Site Plan Permit for a building addition at their September 26, 2011 meeting.

Commissioner Oakley moved and Commissioner Schultz seconded a motion to adjourn.

Motion carried 6 - 0.

Meeting adjourned at 8:20 p.m.