

MINUTES
VILLAGE OF ELBURN PLANNING COMMISSION/ZONING BOARD OF APPEALS
AUGUST 7, 2018

Members Present: Commissioners Ryan Anderson, Chris Gould, Carolyn Jansons, Chris Mulvihill, Chairman Jeff Metcalf

Members Absent: Mary Gustafson, Rob Houtz

Staff Members Present: Building Commissioner Tom Brennan, Village Attorney Bob Britz

Others Present: Shodeen rep Bob Skidmore, Petitioner Troy Peacock

1. Call to Order – Chairman Metcalf called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance – Chairman Metcalf led the assembly in the Pledge of Allegiance.
3. Roll Call – A roll call ensued.
4. Public Comment – None
5. Approve Minutes – A motion to approve the July 3, 2018 Planning Commission minutes was made by Commissioner Jansons and seconded by Commissioner Gould. The motion carried by unanimous voice vote.
6. Discuss and Approve a Sign Permit for 730 Elizabeth Street – Shodeen Sales Office – Building Commissioner Brennan said this request is for a second wall sign. Per the Village sign ordinance, the maximum number of wall signs is one for each business with an exception if it is a corner lot—which is the case here. There are no businesses to the south of the subject building and Shodeen would like more visibility from Keslinger Road. When a business is constructed south of the subject property, the second wall sign will be removed. Shodeen rep Bob Skidmore said there currently is a permanent sign on the east side of the building facing Anderson Road and a temporary sign/banner on the south side of the building facing Keslinger Road. The request is for a permanent wall sign (which will meet all Village sign code requirements) on the south side of the building. When a business is established to the south of the subject building, the south wall sign will be removed. Village Attorney Britz suggested the Commission include qualifying language with this condition to their motion. Skidmore said Shodeen has no objection to this condition.

A motion to approve the variance for the second wall sign with the condition it will be removed when a commercial structure is built to the south which will impede visibility of the sign from Keslinger Road was made by Gould and seconded by Mulvihill. A roll call vote ensued. Ayes: Anderson, Gould, Jansons, Mulvihill, Metcalf. Nays: None. Motion carried.

7. Open the Public Hearing Regarding the Application from Troy and Elisabeth Peacock for a Variance at 261 E Shannon St to Allow Construction of a Detached Garage that is Larger, Taller and thus, Exceeds the Maximum Lot Coverage than the Village of Elburn Zoning Ordinance Allows – A motion to open the public hearing was made by Anderson and seconded by Mulvihill. The motion carried by unanimous voice vote.

8. Public Hearing Regarding the Application from Troy and Elisabeth Peacock for a Variance at 261 E Shannon St to Allow Construction of a Detached Garage that is Larger, Taller and thus, Exceeds the Maximum Lot Coverage than the Village of Elburn Zoning Ordinance Allows –

Building Commissioner Brennan stated this is the second hearing regarding a variance from sections 4.7E&G and 7.5F(5) of the Zoning ordinance. The plat provided by the petitioner is old. The maximum lot size is exceeded by 612 SF. The current zoning of the property is R2.

Petitioner, Troy Peacock, stated the reason for the over-sized garage is because there is no room for storage in the basement due to flooding. There is no attic storage either because it is used as living space. The planned garage is the same footprint as the previous garage except it will be 5' wider on each side and 20' longer in the back. The new garage will be located as close to the residence as possible but there is a utility pole that restricts placement of the garage. Peacock displayed drawings he created showing the design of the garage and stated the architecture will be similar to the residence and other buildings in the neighborhood.

Commissioner Anderson said at the last meeting the Planning Commission requested a new plat of survey of the property showing existing structure(s). Anderson said he is not comfortable voting on this request without an updated plat.

Brennan stated building setbacks in R2 zoning are 10' for a residence and 5' for detached accessory structures. Peacock stated the garage will be 10' from the lot line. Peacock said he does not want to incur the cost of a finalized plat until the Planning Commission makes a decision as to what they will allow. It was suggested Peacock have a professional design a plan based on limitations of the lot and then return to the Planning Commission with specific request(s). Having the specifics on an updated plat will help the Planning Commission make an educated decision. Village Attorney Britz stated application for a variance requires a plat. Brennan stated he would like an "as built survey" which shows grading on the lot. Brennan continued Peacock could physically draw on the as built survey showing his plan and it should show dimensions in relation to the lot lines.

Attorney Britz recommended the Planning Commission continue the hearing so the petitioner can gather the information requested. Peacock said he would like approval of the largest possible scenario from the Planning Commission and will make it smaller if the engineer finds the need to do so.

A solution decreasing the amount of impervious surface was suggested in order to alleviate potential runoff issues. Attaching the garage to the residence would eliminate the height situation. When asked if drainage has been addressed, Brennan stated retention/detention is located directly behind the lot at the Library so downspouts should direct the water. There are no storm sewers in this older section of town. Peacock stated the addition should not add more drainage.

A concern of precedence allowing such a large accessory structure was expressed. When asked about off-street parking, Peacock said the garage space will allow four vehicles (648 SF, 18' deep by 9' wide for each vehicle). It was stated there is only one or two four-car garages located within the Village. Peacock stated the building will look nice and will fit in with the neighborhood. There have been no complaints received from the neighbors regarding this request.

It was suggested Peacock address the Variation Standards with the Commissioners. After doing so, it was mentioned possibly the last standard ("That the variation is the minimum variation necessary to make possible the reasonable use of the land, building or structure") is the one that might be debatable. Chairman Metcalf said without a plat, the Planning Commission is doing a lot of speculation. A plat needs to be provided and it is the petitioner's decision as to the design.

There was consensus from the Commissioners to table further discussion and continue the public hearing to reconvene at a future date.

9. Close the Public Hearing Regarding the Application from Troy and Elisabeth Peacock for a Variance at 261 E Shannon St to Allow Construction of a Detached Garage that is Larger, Taller and thus, Exceeds the Maximum Lot Coverage than the Village of Elburn Zoning Ordinance Allows – No action taken – public hearing continued to reconvene at a future date.
10. Vote on the Finding of Facts – No action taken – public hearing continued to reconvene at a future date.
11. Recommendation to the Village Board Regarding the Application for a Variance of 216 E Shannon St – No action taken – public hearing continued to reconvene at a future date.
12. Other Business – None
13. Adjourn – Commissioner Mulvihill motioned to adjourn the meeting at 8:07 p.m. with Commissioner Gould seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,



Diane McQuilkin
Village Clerk