

Village of Elburn
301 E. North Street
Elburn, IL 60119

VILLAGE OF ELBURN
PLANNING COMMISSION AGENDA
TUESDAY, MARCH 5, 2019
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment
5. Approve the Planning Commission Minutes: February , 2019
6. Open the Public Hearing Regarding the Application from Lighthouse Academy a Special Use Permit and Zoning Variance for a daycare center and Side Yard Reduction at 153 Wright Street.
7. Public Hearing Regarding the Application from Lighthouse Academy a Special Use Permit and Zoning Variance for a daycare center and Side Yard Reduction at 153 Wright Street.
8. Close the Public Hearing Regarding the Application from Lighthouse Academy a Special Use Permit and Zoning Variance for a daycare center and Side Yard Reduction at 153 Wright Street.
9. Vote on Finding of Facts.
10. Recommendation to the Village Board regarding the Application from Lighthouse Academy a Special Use Permit and Zoning Variance for a daycare center and Side Yard Reduction at 153 Wright Street.
11. Other Business
12. Adjourn

MINUTES
VILLAGE OF ELBURN PLANNING COMMISSION/ZONING BOARD OF APPEALS
FEBRUARY 5, 2019

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

Members Absent: Chris Gould, Rob Houtz

Staff Members Present: Village Admin John Nevenhoven, Village Attorney Bob Britz

Others Present: Library Board Member Stephanie L. Butler

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 January 2, 2019 Planning Commission minutes was made by Mulvihill and seconded by Anderson. The motion unanimously carried by voice vote. A motion to approve the November 6, 2018 Tree Board minutes was made by Commissioner Jansons and seconded by Commissioner Techter. The motion unanimously carried by voice vote.
6. Discuss and Recommend Approval of a Plat of Resubdivision of "John Warnes Second Addition to Elburn" Lots 4 & 5 for the Town and Countryside Public Library – Village Admin Nevenhoven said this is a re-subdivision of multiple lots owned by the library. The Village has been issuing a variance yearly for one of the lots due to it having an accessory structure (garage) without a primary structure. The library recently purchased two additional lots for the genealogy center. The petition is to consolidate all of the library's lots into one parcel. Some privately owned residential lots still remain in the area. The library property is currently zoned R2 and a library is a permitted use in residential zoning. Commissioner Anderson stated his concern with lot 6 and was curious about future plans. Library Board member Stephanie Butler said the library has a long term plan to purchase additional residential lots in the area. The residence purchased in 2017 will be used as the genealogy structure for the next several years. Village Attorney Britz confirmed any desire by the library to convert to a different use would require action by the Village. Britz said this request is considered a small plat of subdivision which does not require a public hearing and going through the entire subdivision process. All parcels in this request are off tax rolls because they are already owned by the library. A motion to approve the request was made by Mulvihill and seconded by Jansons. A roll call vote ensued. Ayes: Jansons, Mulvihill, Techter, Metcalf. Nays: Anderson. Motion carried.
7. Discuss and Comment on the Request for an Interim Special Use, 43W722 Beith Road – Nevenhoven said this is located outside Village limits but is within Elburn's 1-1/2 mile planning radius. Kane County has asked for comments from the Village, if any. After brief discussion, it was asked if the proposal fits with the character of the Village of Elburn's Comprehensive Plan. Nevenhoven replied, yes. Elburn and Campton Hills' jurisdiction overlaps in this area and may be more sensible for Campton Hills to annex the parcel in the future. Being no further discussion, there was consensus the Planning Commission has no comment on this proposal.
8. Other Business – None
9. Adjourn – Commissioner Mulvihill motioned to adjourn the meeting at 7:19 p.m. with Commissioner Anderson seconding the motion. The motion passed by a unanimous voice vote.

Respectfully Submitted,

A handwritten signature in black ink that reads "Diane McQuilkin". The signature is written in a cursive style with a long horizontal flourish at the end.

Diane McQuilkin
Village Clerk

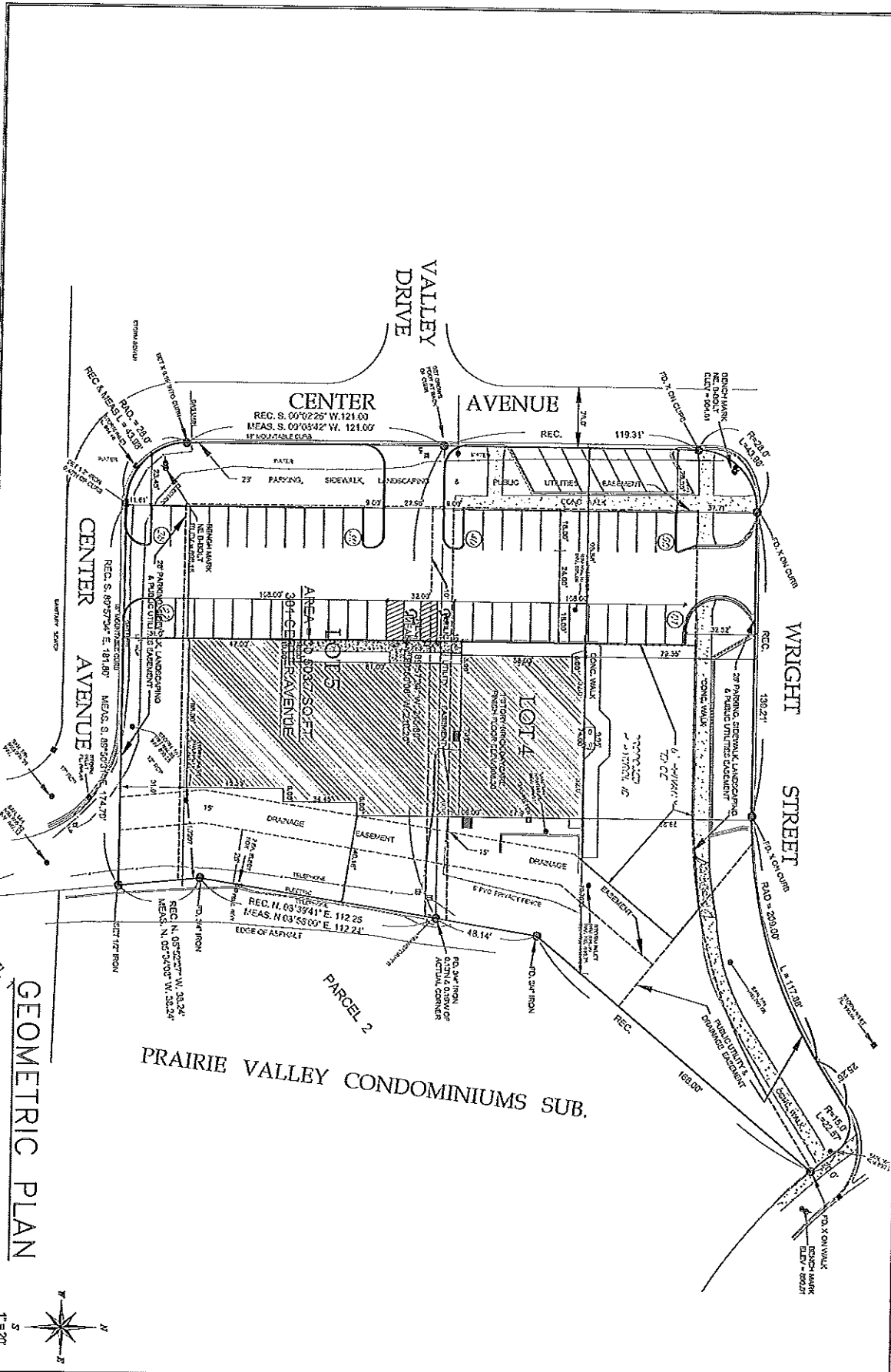


MEMO

To: Planning Commission/Z.B.A.
From: Tom Brennan – Building Commissioner
Subject: Lighthouse Academy – Elburn, LLC
Date: 03/01/2019

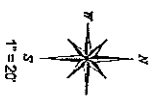
Shannen Flores with Lighthouse Academy is requesting a public hearing in front of the Planning Commission/Z.B.A. The purpose of the hearing is twofold: Daycare centers are a special use in the Prairie Valley Commercial (B-2 P.U.D.) subdivision, and the owners are seeking a variance from Article 8.3 E (2) corner side yard setback (reducing the setback from 50 feet to 30 feet).

All of the requirements for this public hearing have been met.



GEOMETRIC PLAN

PRAIRIE VALLEY CONDOMINIUMS SUB.



REV	DATE	DESCRIPTION	REV	DATE	DESCRIPTION
1	12/19/18	PRELIMINARY			
2					
3					

LOT 485 - LIGHTHOUSE ACADEMY
ELBURN, IL



KOZOL ENGINEERING SERVICES
PROFESSIONAL ENGINEERS
1211 Light House Rd. Elk Grove Village, IL 60120
PH: 847-535-1500 FAX: 847-535-1501
www.kozol.com

Variations – Finding of Fact

E. Standards:

- (1) The ZBA shall not recommend, and the Village Board shall not vary, the provisions of this Zoning, unless it shall find that the:
 - I. Property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zoning district.
 - II. Plight of the owner is due to unique circumstances.
 - III. Variation, if granted, will not alter the essential character of the locality.
- (2) For the purpose of supplementing the above standards, the ZBA, in making a recommendation that there are practical difficulties or particular hardships, shall also take into consideration the extent to which the evidence establishes, or fails to establish, the following:
 - I. That the particular physical surroundings, shape or topographical condition of the specific property involved would bring particular hardship upon the owner, as distinguished from a mere inconvenience, if the strict letter of the regulation were to be carried out.
 - II. That the conditions upon which the petition for variation is based would not be generally applicable to other property within the same zoning district.
 - III. That the purpose of the variation is not based exclusively upon a desire to make more money out of the property.
 - IV. That the alleged difficulty or particular hardship has not been created by any person presently having an interest in the property, or by the applicant.
 - V. That the granting of the variation will not be detrimental to the public welfare, or injurious to other property or improvements in the neighborhood in which the property is located.
 - VI. That the proposed variation will not:
 - a. Impair an adequate supply of light and air to adjacent properties.
 - b. Substantially increase the hazard from fire or other dangers to said property or adjacent properties.
 - c. Otherwise impair the public health, safety, comfort, morals or general welfare of the inhabitants of Elburn.
 - d. Diminish or impair property values in the neighborhood.
 - e. Unduly increase traffic congestion in the public streets and highways.
 - f. Create a nuisance.
 - g. Result in an increase in public expenditures.
 - VII. (vii) That the variation is the minimum variation necessary to make possible the reasonable use of the land, buildings or structure.

Special Use - Zoning Code 15.13 (Ord 2011-12)

Finding of Facts

The Village Board may, after receiving a recommendation from the Planning Commission in the manner hereinafter set forth, approve, approve with conditions, or deny a special use, pursuant to the procedures set forth herein.

The Planning Commission shall not recommend the approval of a special use, unless it shall find, after specifying reasons for or against, based upon the evidence presented to the Planning Commission in each specific case, that the special use:

	Standards	YES	NO
A	Will be harmonious with and in accordance with the general objectives of the Comprehensive Land Use Plan and/or this Zoning Ordinance.		
B	Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not alter the essential character of the same area.		
C	Will not be hazardous or disturbing to existing or future neighborhood uses.		
D	Will be adequately served by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water, sewers and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.		
E	Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the Village of Elburn.		
F	Will not involve uses, activities, processes, materials, equipment and/or conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors		
G	Will have vehicular approaches to the property which shall be so designed as to not create an undue interference with traffic on surrounding public streets or highways.		
H	Will not increase the potential for flood damage to adjacent property, or require additional public expense for flood protection, rescue or relief.		
I	Will not result in the destruction, loss or damage of natural, scenic or historic features of major importance to the Village of Elburn.		

(5) A concurring vote of a majority of those members of the Planning commission present at the meeting, with a minimum of four (4) concurring votes, shall be required to recommend granting or denying an application for a special use.