

Village of East Dundee
Kane County, Illinois
Planning and Zoning Committee
September 13, 2007

Chairperson Swanson called the meeting to order at 7:00 pm.

Roll: Commissioners Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Chairman Swanson.

Note that there are currently seven commissioners, so all were present.

Also present were Engineer Joe Heinz, Building Official Bob Urbanowitz, Attorney Victoria Benson and Justin Yonker from Vandewalle and Associates.

It is stated that Commissioner Meyer still needs to be sworn in.

Motion to approve the August 9, 2007 minutes by Scarpelli/Martin.

Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

OLD BUSINESS:

1. PUBLIC HEARING: Terry Peterson for a variance at 253 Fallbrook Ct., PZ# 07-08-01
Application by Terry Peterson on behalf of the homeowner of 253 Fallbrook Ct. for a variance for a rear yard setback for 17ft where 30ft is required.

Motion to open the Public Hearing for PZ #07-08-01 at 7:02 pm by Martin/Holliman.

Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

Mr. Peterson with Champions Windows introduces the homeowner Jaffar Khowja. The court reporter swears in both gentlemen. Mr. Peterson discusses the layout of the sunroom and states that it will be the same size as the deck that is currently there. He also states that they are not encroaching on any easements.

Trustee Scarpelli states that to grant a variance the Commission looks for hardship, is there a hardship if the Commission doesn't allow this variance? The Commission reviews the plat of survey and Mr. Peterson answers various questions regarding the layout and easement.

Motion to close the Public Hearing for PZ #07-08-01 at 7:25 pm by Snow/Holliman.

Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

Some of the Commissioners feel that the homeowner is not proving any hardship. They suggest that the Village Board should decide if they want to deviate from the codes they have set. Others on the Commission feel that "hardship" is a difficult term to define.

Motion to recommend the variance at 253 Fallbrook Ct. PZ #07-08-01 to the full board by Snow/Holliman.

Roll: 4 Ayes (Holliman, Bernstein, Snow, Swanson), 2 Nays (Scarpelli, Martin), 1 Abstain (Meyer), 0 Absent. Motion carries.

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Motion to accept the findings of fact pursuant hearing PZ #07-08-01 by Holliman/Scarpelli.
Roll: 6 Ayes (Holliman, Bernstein, Snow, Scarpelli, Martin and Swanson), 1 Abstain (Meyer), 0
Absent. Motion carries.

Chairman Swanson states that this will go in front of the Village Board on October 1st in order to
receive and place on file. The vote will most likely be taken at the second board meeting in
October.

Motion to open the Public Hearing for PZ #07-09-01 at 7:41 pm by Snow/Bernstein.
Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

NEW BUSINESS:

1. PUBLIC HEARING: Thom McNamee for a variance at 7-11 Jackson St., PZ# 07-09-01
Application by Thom McNamee for a variance to allow for a 0ft setback on an accessory building
where 3ft is required.

Mr. McNamee gives the Village Clerk the certified return receipts. The court reporter swears in
all who are going to give testimony on this petition.

Mr. McNamee states that he is requesting a variance for a rear year set back for the building at 7
– 11 Jackson, otherwise known as the bicycle garage building. The purpose for this request is so
garages can be installed. The hardship is that in order to get thoroughfare behind the building and
establish garages, he needs the extra three feet. This will allow for full development of the B1
lot, which may encourage other developments in the downtown area. He states that this proposed
variance would neither impair public safety nor impair property values. He asks that the
Commission recommend the grant of variation to the full board for these reasons.

Public Comments/Objections:

Fred Doederlein – 110 Railroad Street

Mr. Doederlein states that the set back Mr. McNamee refers to is for side lots. Mr. McNamee
states that the current code allows for 0 ft side and 3 ft back. Mr. Doederlein states that he is
entering his objection. He is not against the building, just the set back.

Albin Grill – 16410 Nelson Road, Woodstock

Mr. Grill owns the property northwest of Mr. McNamee's property. He states that his young
trees will be right up against Mr. McNamee's property. He feels that one shouldn't be allowed go
up against someone else's property because of aesthetics and safety.

Mr. McNamee states that the garages will be 20 feet in length to accommodate for the turn lane.
He also adds that he doesn't want the open space to fill with trash and feels that the 0 ft set back
uses the full development of the downtown. He states that he would lose all perpendicular and
diagonal parking if variance were not granted. Mr. Heinz agrees and states that he shows a 33-
foot separation from the garage to the building. He needs a 24-foot aisle to back into which
leaves him 9 feet for parallel parking, which is the bare minimum.

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Motion to close the Public Hearing for PZ #07-09-01 at 8:27 pm by Holliman/Snow.
Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

Motion to recommend the variance for PZ #07-09-01 to the full board by Holliman/Scarpelli.
Roll: 5 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli,), 2 Nays (Martin, Swanson), 0
Absent. Motion carries.

Motion to accept the findings of fact pursuant hearing PZ #07-09-01 by Scarpelli/Holliman.
Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

Motion to close the Planning and Zoning Commission by Scarpelli/Holliman at 8:35 pm.
Roll: 7 Ayes (Holliman, Bernstein, Snow, Meyer, Scarpelli, Martin and Swanson), 0 Absent.
Motion carries.

President O'Leary is in the audience and states there are two openings on the Planning and
Zoning Commission. He also states that he cannot swear in Commissioner Meyer as it is listed
on the agenda as Swearing in of New Commissioners.

Role Call For The Historic Commission: Commissioners Holliman, Bernstein, Snow, Meyer,
Scarpelli, Martin and Chairman Swanson.

**2. HISTORIC SIGN APPLICATION: Application by Brad Giertz for a sign at 110 N.
River St.**

Mr. Giertz states that he has been working on his studio for twelve years and would like to hang
his sign. The Commission views pictures of the sign.

Motion to accept sign application by Brad Giertz, 110 N. River Street by Holliman/Martin.
Roll: 6 Ayes (Holliman, Bernstein, Meyer, Scarpelli, Martin and Swanson), 1 Nay (Snow), 0
Absent. Motion carries.

On a different topic, Chuck Motl discusses the possibility of purchasing the building that is
currently housing Artful Objects at 324 – 326 River Street. He explains his plans for the building
which include: opening up the inside of the building, tearing down the green fence and replacing
it with a black wrought iron fence, and repositioning the door to the far right of the building. He
has a seven person staff and plans to use both floors. The Commission is fine with these
suggestions and asks Mr. Motl to keep in touch with Mr. Urbanowitz.

3. HISTORIC SIGN CODE AMENDMENT

Discussion of draft language for amendment to the Historic District's sign regulations.

Justin Yonker states that staff asked them to look at rewording the text. Mr. Yonker discusses his
handout stating his suggested changes.

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Motion to recommend to the full Board the proposal presented tonight, but removing section 2b in its entirety or leaving it without the colors and go to the Board with the revisions of the Historic Sign Committee by Scarpelli/Holliman.

Commissioner Scarpelli amends motion to accept what is present with the exception of 2b.

Mr. Yonker suggests removing the first sentence from section 2b so it reads as follows: "Sign materials shall utilize colors compatible with the time the building was designed, built, or renovated to reflect."

President O'Leary asks Mr. Yonker to email the final version to staff. Ms. Benson recommends that this topic go back in front of the P & Z as a Public Hearing.

Motion withdrawn by Scarpelli.

Motion to adjourn the meeting at 9:20 pm by Holliman/Martin.
A voice vote was unanimous.

Respectfully Submitted,



Sue Norton
Village Clerk