

Approved  
**VILLAGE OF LAKE ZURICH**  
**PLANNING & ZONING COMMISSION MINUTES**  
**NOVEMBER 20, 2019**

The meeting was called to order by Chairman Stratman at 7:00 p.m.

**ROLL CALL:** *Present* – Chairman Stratman, Commissioners Baumann, Dannegger, Giannini, and Schultz. *Absent* - Commissioners Castillo, Riley, and Muir. Chairman Stratman noted a quorum was present. *Also present*: Community Development Director Sarosh Saher and Planner Tim Verbeke.

**CONSIDERATION OF MINUTES AND FINDINGS OF THE COMMISSION**

Approval of the October 23, 2019 Meeting Minutes of the Planning & Zoning Commission:

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to approve the October 23, 2019 minutes of the Planning and Zoning Commission as submitted.

Upon roll call:

AYES: 3 Chairman Stratman, Commissioners Baumann, and Schultz.

NAYS: 0

ABSTENTION: 2 Commissioners Dannegger and Giannini

ABSENT: 3 Commissioners Castillo, Riley, and Muir.

MOTION CARRIED

**PUBLIC COMMENT - None**

**PUBLIC MEETING:**

A. 24168 North Midlothian Road (Raupp Property) – Avery Ridge – Final Plan and Plat of Subdivision (PZC 2019-21)

Final Plan and Plat of Subdivision for the development of the approximately 19-acre property for a 35-unit single-family residential subdivision to be known as Avery Ridge, to be developed by Taylor Morrison of Illinois, Inc. *Applicants: Taylor Morrison of Illinois, Inc.*

Project attorney Julie Workman and Mark McLaughlin of Taylor and Morrison, Inc., gave a brief presentation providing historical information about the proposed single-family subdivision. Initially the development was proposed by M/I Homes, but they were unable to come to an agreement on the sale of the property with the owners. Taylor Morrison acquired the development plans and zoning entitlements that had been granted to M/I Homes and is in contract with the Raupp family, the property owners, to acquire the subject property. Ms. Workman said there are only minor changes to the previously approved proposal which are the resizing or shortening of Lots 27-33 to remove them from wetlands, wetland buffer, landscape buffer, or stormwater detention areas. Those areas will now be contained in Outlot B and will be the responsibility of the homeowner's association. Per staff review, the proposed changes are in substantial conformance with the development concept plan with the standards for approval having been met.

MOTION was made by Commissioner Dannegger, seconded by Commissioner Baumann, to receive into the public record the staff review of compliance of this Application for Final Plan with the zoning standards as presented by staff this evening, and to make these standards a part of the official record for the Application and approve the Final Plan and Plat of Subdivision for Avery Ridge at 24168 North Midlothian Road.

Upon roll call:

AYES: 5 Chairman Stratman, Commissioners Baumann, Dannegger, Giannini, and Schultz.

NAYS: 0

ABSENT: 3 Commissioners Castillo, Riley, and Muir.

MOTION CARRIED

#### **PUBLIC HEARING:**

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to open the following public hearings at 7:10 p.m. for Application PZC 2019-23, 565 Red Bridge Road, Variation on the Height of a Fence; and Applicant PZC 2019-22, 14 South Shore Lane, Variation of the Minimum Landscape Surface Area.

Upon roll call:

AYES: 5 Chairman Stratman, Commissioners Baumann, Dannegger, Giannini, and Schultz.

NAYS: 0

ABSENT: 3 Commissioners Castillo, Riley, and Muir.

MOTION CARRIED

#### **B. 565 Red Bridge Road – Variation on the Height of a Fence (PZC 2019-23)**

Public hearing to consider a request for a variation to allow the construction of a five-foot high fence in the required corner side yard of the property. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant.

*Applicant: Mr. Scott and Ms. Megan Kocanda*

Homeowner Scott Kocanda presented his petition for a variation to allow a five-foot high fence within the required corner yard setback. Staff clarified that a three-foot high fence is permitted in the front or corner side yards and a five-foot or higher fence would be permitted if it was located behind the setback line. Due to bulk requirements of the code, any fence in excess of three feet would need to be located 25 feet back from the front and corner lot lines. Mr. Kocanda, who purchased the property in July of this year, said he removed ten-feet high bushes along the northern boundary of the property, which impeded foot traffic. He believes the fence will be less intrusive than the large hedges had been. Since his yard is elevated, he does not think a three-foot fence would be adequate to keep his child and dogs in the yard and prevent other dogs from entering his yard. Mr. Kocanda said his proposed fence would be similar to his two neighbors that have five-foot fences that were installed in 1990 before the zoning code changed

Ursula Kaczmarski, 511 Country Ridge Court, said she does not object to Mr. Kocanda's proposed fence. She had wanted to have a five-foot high fence also, but was told the village did not allow it. Planner Verbeke recapped the Kaczmarski's situation and pointed out there had been several differences from the approach the Kaczmarski's took and the route that the Kocanda's took and that she would have had the same opportunity to apply for a variation.

MOTION was made by Commissioner Schultz, seconded by Commissioner Baumann, to close the public hearing on Application PZC 2019-23, 565 Red Bridge Road at 7:26 p.m. Upon roll call:

AYES: 5 Chairman Stratman, Commissioners Baumann, Dannegger, Giannini, and Schultz.

NAYS: 0

ABSENT: 3 Commissioners Castillo, Riley, and Muir.

MOTION CARRIED

MOTION was made by Commissioner Dannegger, seconded by Commissioner Baumann, to close the public hearing on Application PZC 2019-23, 565 Red Bridge Road – Variation to allow for the construction of a five-foot high fence in the required corner side yard of the property and receive into the public record the staff review of compliance of this Application with the zoning standards as presented by staff and to receive the testimony presented by the Applicants, testimony presented by members of the public, and in response to questions by the Planning and Zoning Commission Members, any testimony presented by Village Staff at tonight's Public Hearing and make these standards a part of the official record for the Application and to recommend that the Village Board approve the Application PZC 2019-23 which requires a variation on the height of a fence at the property commonly known as 565 Red Bridge Road.

Upon roll call:

AYES: 5 Chairman Stratman, Commissioners Baumann, Dannegger, Giannini, and Schultz.

NAYS: 0

ABSENT: 3 Commissioners Castillo, Riley, and Muir.

MOTION CARRIED

C. 14 South Shore Lane – Variation of the Minimum Landscape Surface Area (PZC 2019-22)  
Public hearing to consider a request for a variation to allow the construction of a new single-family residence on the property that exceeds the required minimum landscape surfaced area. Detailed information is contained within the accompanying staff report and all exhibits submitted by the applicant. - *Applicant: Icon Building Group*

Mr. Sean Burke, IBG Devco, LLC, (Icon Building Group), presented their proposal to construct a concrete driveway expansion and concrete patio, which will decrease the required minimum landscape surface area below the required area. Mr. Burke said staff did provide three options that would allow the driveway and patio to be constructed in a manner that would meet the requirements of zoning codes. Discussion followed with Director Saher and the applicant discussing the options. Mr. Burke said he would agree to Option 3 in the staff report and use a decorative border of permeable pavers around the driveway and also construct the patio of permeable pavers. Staff is willing to work with the petitioners to replace impervious surface with permeable pavers so it will meet village code requirements. Mr. Burke was asked if he would like to withdraw his application since he would no longer need a variation. Mr. Burke agreed to work with staff and asked that his petition be withdrawn since it was no longer necessary.

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to close the public hearing on Application PZC 2019-22, 14 South Shore and to withdraw the application per the petitioner's request.

Upon roll call:

AYES: 5 Chairman Stratman, Commissioners Baumann, Dannegger, Giannini, and Schultz.

NAYS: 0

ABSENT: 3 Commissioners Castillo, Riley, and Muir.

MOTION CARRIED

#### **OTHER BUSINESS - None**

#### **STAFF REPORT:**

Director Saher gave an update on the report prepared by Christopher Aiston and the presentation given to the Board of Trustees on November 18, 2019 on an alternate approach to downtown revitalization. Planner Tim Verbeke said there is an application for a special use permit for a dry cleaner and an application to rezone the Masonic Lodge at 101 Oak Street for the December meeting.

#### **ADJOURNMENT:**

MOTION was made by Commissioner Baumann, seconded by Commissioner Schultz, to adjourn the meeting. Voice Vote, all in favor. MOTION CARRIED. The meeting was adjourned at 7:37 p.m.

*Submitted by: Janet McKay, Recording Secretary*

Approved by:

