

**VILLAGE OF CAMPTON HILLS
PLAN COMMISSION / ZONING BOARD OF APPEALS**

March 27, 2017 - Minutes

1. Call to Order

Chairperson Carpenter called the Meeting to Order at 7:04pm.

2. Roll Call

Acting Clerk Searl called the Roll:

Present: Chairperson Carpenter; Members; Dragoo, Johnson, Phillips and Pree.

Absent: Member Brauer and White-Eagle.

Others in attendance: Interim Village Administrator Ron Searl, Building & Zoning Officer Chris Ranieri, Attorney Kurt Asprooth, Tom & Marcia Clark, George & Mary Cella, Bob McDowell (McDowell, Inc.), David & Ginny Harmon, and Whitney Martino.

3. New Business

a. Public Hearing:

Variance at 3N069 Campton Woods Dr., Campton Hills, IL

MOTION #1: Member Pree made a motion to open the public hearing regarding the Petition for Variance at 3N069 Campton Woods Dr., Campton Hills, IL. 60119; PIN: 08-26-351-005 – allowing in-law suite in basement; *motion was seconded by member Phillips. PASSED*

Vote

Ayes – Carpenter, Phillips, Dragoo, Johnson and Pree

Nays - None

Absent- Brauer and White Eagle

Member Johnson expressed his concern about the two (2) public hearings and the potential for the proposed spaces to be used for something other than the purpose before the Commission. Member Pree stated that the two (2) public hearings should go forward as separate issues and the that issues involving “enforcements” falls back upon Village staff and is not pertinent to the Planning & Zoning Commission’s public hearing responsibility.

Attorney Asprooth explained that the each petition should be looked at separately and the merits of each petition weighed separately. In response to a question from the public Attorney Asprooth explained that the variance goes with the property and the applicant.

Chairman Carpenter explained that there is sign in sheet in the back of the room and anyone who plans to testify or comment needs to record their information. Chairman

asked anyone planning to testify to stand and raise their right hand. Chairmen Carpenter swore in testifying attendees.

Building & Zoning Office Ranieri briefly described the request background and that required notification of neighbors procedure was done. The “In-Law” actually own the house and when not at their Florida home will be occupying the “In-Laws” space. The owner’s son and family live in the home on a full time basis.

Chairman Carpenter asked the petitioner to present. Mr. Bob McDowell, McDowell Remodeling, representing Larry and Louise Ost, explain the need for the remodeling the existing finished lower level to create an “In-law” suite.

Chairman Carpenter opened it up for public comments and questions

MOTION #2: Member Pree made a motion to close the public hearing regarding the Petition for Variance at 3N069 Campton Woods Dr., Campton Hills, IL. 60119; PIN: 08-26-351-005 – allowing in-law suite in basement; *motion was seconded by member Drago. PASSED*

Vote

Ayes – Carpenter, Phillips, Drago, Johnson and Pree

Nays - None

Absent- Brauer and White Eagle

b. Public Hearing:

Variance at 2N904 Grande Monde, Campton Hills, IL

MOTION #3: Member Pree made a motion to open the public hearing regarding the Petition for Variance at 2N904 Grande Monde, Campton Hills, IL. 60119; PIN: 08-35-126-006 – allowing in-law suite in basement; *motion was seconded by member Johnson. PASSED*

Vote

Ayes – Carpenter, Phillips, Drago, Johnson and Pree

Nays - None

Absent- Brauer and White Eagle

Attorney Asprooth reminded anyone public member planning on speaking that they are still under oath.

Building & Zoning Office Ranieri briefly described the request background and that required notification of neighbors procedure was done.

The petitioners, Peter & Whitney Martino, described their request.

Member Pree asked if the the Martino’s ever rented any part of their house or intend to rent any part of their home. Mrs. Martino explained that at one time they had a friend, dealing with a personal situation, staying with them but did not charge rent.

Member Johnson asked if there is a reason that their parents could not use the first floor kitchen and avoid the remodeling. Mrs. Martino explained that it is possible that the

kitchen in the basement is a longer term solution. B&Z Officer Ranieri stated that because of the homes design the garage actually ingresses the basement area (where the proposed kitchen would be located) without any need for stairs.

Resident Mr. George Cella asked if a “variance” is needed in order to have in-laws or other family members co-locate? He stated that in years past it was common for the family members to take in older family members, before the growth in nursing home numbers, and it was no problem. Chairman Carpenter explained that the issue for the variance is the need for the kitchen addition to the basement and not the fact that family members co-locate.

Mr. Tom Clark stated that he understands the request but he feels that a requirement be placed on the variance that it can only be for immediate family and on a rent free basis. Mr. Clark described another past situation involving a neighbor renting a portion the property to someone and rented the basement to a second family. B&Z Officer stated that he investigated the past complaint, referred to by Mr. Clark, and he determined that under the Village’s ordinance for a family definition there was no violation.

There was public comment that questioned the Village’s family definition. Administrator Searl suggested that he can bring this issue to the Village Board’s attention and see if they would like to direct staff and the Commission to look at some form of definition revision.

MOTION #4: Member Phillips made a motion to **close** the public hearing regarding the Petition for Variance at 2N904 Grande Monde., Campton Hills, IL. 60119; PIN: 08-35-126-006– allowing in-law suite in basement; ***motion was seconded by member Pree. PASSED***

Vote

Ayes – Carpenter, Phillips, Dragoo, Johnson and Pree

Nays - None

Absent- Brauer and White Eagle

Variance at 3N069 Campton Woods Dr., Campton Hills, IL

Discussion and consideration of Petition for Variance at 3N069 Campton woods Dr., Campton Hills, IL. 60119; PIN: 08-26-351-005

MOTION #5: Member Pree made a motion to recommend approval of a variance request for 3N069 Campton woods Dr., Campton Hills, IL. 60119; PIN: 08-26-351-005 subject to the conditions (as recommended by Attorney Asprooth) described below; motion was seconded by member Phillips. ***PASSED***

Vote

Ayes – Carpenter, Phillips, Dragoo, Johnson and Pree

Nays - None

Absent- Brauer and White Eagle

Conditions.

- A. No Expansion of Accessory Dwelling.
- B. No Separate Utilities. The accessory dwelling unit in the basement of the residence on the Property shall continue to share all utilities with the principal residence, and no separate utility reading meters for the accessory dwelling unit shall be installed.
- C. Recordation. The Ordinance shall be recorded with the Kane County Recorder of Deeds.
- D. Use Restriction. The use of the accessory dwelling unit must remain consistent with the single-family character and single-family restrictions and regulations contained in the Zoning Ordinance.

Variance at 2N904 Grande Monde, Campton Hills, IL

Discussion and consideration of Petition for Variance at 2N904 Grande Monde., Campton Hills, IL. 60119; PIN: 08-35-126-006

MOTION #6: Member Phillips made a motion to recommend approval of a variance request for 2N904 Grande Monde., Campton Hills, IL. 60119; PIN: 08-26-351-005 subject to the conditions (as recommended by Attorney Asprooth) described below; motion was seconded by member Pree. ***PASSED***

Vote

Ayes – Carpenter, Phillips, Dragoo, Johnson and Pree
Nays - None
Absent- Brauer and White Eagle

Conditions.

- A. No Expansion of Accessory Dwelling.
- B. No Separate Utilities. The accessory dwelling unit in the basement of the residence on the Property shall continue to share all utilities with the principal residence, and no separate utility reading meters for the accessory dwelling unit shall be installed.
- C. Recordation. The Ordinance shall be recorded with the Kane County Recorder of Deeds.
- D. Use Restriction. The use of the accessory dwelling unit must remain consistent with the single-family character and single-family restrictions and regulations contained in the Zoning Ordinance.

4. Unfinished Business

March 2, 2017 Meeting Minutes

Consideration of the draft March 2, 2017 Plan Commission/Zoning Board of Appeal meeting minutes.

MOTION #7: Member Pree made a motion to recommend approval the March 2, 2017 Plan Commission/Zoning Board of Appeal meeting minutes.; motion was seconded by member Phillips. ***PASSED***

Vote

Ayes – Carpenter, Phillips, Dragoo, Johnson and Pree
Nays - None
Absent- Brauer and White Eagle

- a. Comprehensive Plan- Postponed.
 - i. Review of principles, policies and strategies
 - ii. Status of each strategy

- b. Other Business that normally would come before the Plan Commission for discussion


5. Adjournment

MOTION #8: Member Phillips made a motion to adjourn the meeting at 8:28pm; motion was seconded by member Pree. ***PASSED***

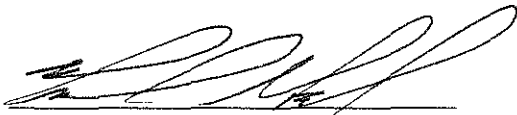
Vote

Ayes – Carpenter, Phillips, Dragoo, Johnson and Pree
Nays - None
Absent- Brauer and White Eagle

Approved this 23rd day of May, 2017.



Chairperson Joe Carpenter



Village Clerk Nicholas Girka