

**AGENDA FOR THE REGULAR MEETING OF THE
PLAN COMMISSION / ZONING BOARD OF APPEALS
OF THE VILLAGE OF CAMPTON HILLS
MAY 22, 2017 7:00 P.M.**

**CAMPTON TOWNSHIP COMMUNITY CENTER
5N082 Old LaFox Road
Campton Hills, Il 60175**

1. Call to Order
2. Roll Call
3. Public Hearings:

**NOTICE OF CANCELLATION OF PUBLIC HEARING
PLEASE TAKE NOTICE**

that the public hearings for common address 43W424 Burlington Road; PINS: 08-05-200-020; 08-05-200-017 scheduled to be heard by the Plan Commission/Zoning Board of Appeals of the Village of Campton Hills on May 22, 2017 at 7:00 pm, has been cancelled.

4. Public Comments – Sign-up sheets are at the rear of room. Please limit remarks to 3 minutes per person and do not repeat topics previously discussed; total time allotted is 30 minutes.
5. Motion to approve the February 27, 2017 and March 27, 2017 Plan Commission/Zoning Board of Appeal meeting minutes.
6. Adjournment

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

February 27, 2017 - Minutes

7. Call to Order

Chairperson Carpenter called the Meeting to Order at 7:01pm.

8. Roll Call

Acting Clerk Searl called the Roll:

Present: Chairperson Carpenter; Members; Brauer, Drago, Johnson, Pree.

Others in attendance: Steve Thuer, Mike Tyrrell, John Thornehill, Lili Wallace, Ed Youngerman, and Kyle Wright.

9. New Business

a. Public Hearing:

Petition to re-zone 42W538 Carol Dr., Campton Hills IL. 60175 PINS: 08-21-201-010; 08-21-100-020

MOTION #1: Member Johnson made a motion to **open** the public hearing regarding the petition to re-zone 42W538 Carol Dr., Campton Hills IL. 60175 PINS: 08-21-201-010; 08-21-100-020; motion was seconded by member Drago.
PASSED

Vote

Ayes – Carpenter, Brauer, Johnson, Pree, and White Eagle

Nays - None

Absent- Phillips

- Chairmen Carpenter swore in testifying attendees and reminded everyone to sign in.
- Zoning Officer Ranieri gave an explanation of the posting and notification process in preparation for the public hearing. Member Pree asked for clarification: the Plan & Zoning Commission is only dealing with the one lot (described by two separate PINs) and not the balance of the property that the Commission had previously discussed to rezone from F- Farming to PUD residential. Zoning Officer Ranieri confirmed this.
- John Thornehill, Development Properties, Inc., 44 White Oak Circle, St. Charles, Il representing the petitioner Steve Thuer, 1210 Lyon Drive, Batavia, Il. explained to the Commission and the attending public that unlike about a month ago when he was before them to describe his clients “Concept Plan” for the entire collection of parcels tonight their request for E2 – Estate rezoning only deals with the 3-acre parcel at the north end of the aforementioned development proposal.
- Chair Carpenter asked if the petitioner has a buyer for the 3-acre parcel with the existing house. Petitioner Thuer replied that he does.
- Member Pree asked a question about the conservation easement along the south side of the pond shown on the site development plan. Mr. Thornehill

replied that the plan has a note regarding the easement. Member Pree also asked the petitioner if the PUD development with the alternate driveway access is this a problem for the property purchaser. Petitioner Thuer responded no.

- Member Brauer asked the Mr. Thornehill to revisit the storm water drainage issues that were discussed at last month Commission meeting. Mr. Thornehill described how the storm water drainage issues can be improved by the PUD development.
- Member Johnson further discussed the access easement to the property. Mr. Thornehill noted that regardless of the PUD development the property owner will always have property access.
- Zoning Officer Ranieri commented that since this a single lot subdivision the petitioner is not required to do anything more at this point to mitigate the drainage concerns. It will have to be address in Phase II or Phase III if and when they go forward with the PUD.

10. Public Comments – Sign-up sheets are at the rear of room. Please limit remarks to 3 minutes per person and do not repeat topics previously discussed; total time allotted is 30 minutes. Chairman Carpenter opened the meeting to public comments:

- Mr. Mike Tyrrell, 5W042 Forest Tree, asked the petitioner to describe the current natural drainage flow for the property. Mr. Thornehill explained that it runs from the South to the North.
- Mr. Tyrrell commented about a silting problem occurs towards Forest Trail. Asked the Commission to consider a diversion solution towards the decorative pond.
- Mrs. Lili Wallace asked to speak. Since she arrived, late Chair Carpenter swore her in. Mr. Wallace explained that she has lived at 42W403 Hunter Hill Dr for about 7 years and has had drainage problems. Member Pree opined that Hunters Hill Drive should never have been extended to where it deadends at the east side of the farm property that is part of the future PUD. He further explained that the current petition before the Commission will not solve the drainage problems onto Hunters Hill Drive. Mr. Thornehill explained that the goal of the future PUD development would be engineering that would help provide drainage relief for downstream properties.
- Chairman Carpenter asked Mr. Thornehill to read the “Finding of Facts” for the record.
- **Finding of Facts:**
 - a. How does your proposal use relate to the existing uses of property with the general area of the property in questions? **(The proposal will allow for the sale of an existing residence which is a Victorian style house, which is already consistent with the present and surrounding land uses.)**
 - b. What are the zoning classifications of properties in the general area of the property I question? **(Nearly all surrounding uses are residential ith F District- Farming, R1 and PUD Districts – Residential classifications.)**
 - c. How does the suitability of the property in question relate to the uses permitted under the existing zoning classification? **(The subject 3-acre parcel, which is part of a 23-acre zoning lot, is well-suited for the proposed zoning classification since it is already improved with one 30 year-old residence and attached garage, together with a small detached garage, all of which is located the F District – Farming classification. However, the 3-acre parcel cannot be created for residential use in the Farming District.)**

- d. What is the trend of development, if any, in the general area of the property in question? (**There has been no recent development in the immediate area during the past 20+ years; all uses are residential except for a horse boarding stable southwest of the subject property that has operated since the 1970's.**)
- e. How does the projected use of the property, relate to the Kane County 2040 Plan? (**The 2040 Plan defers land use decisions to the adopted plans of local jurisdictions. Therefore, the E2 District-Estate classification being proposed under the Village Zoning Ordinance is compatible with the 2040 Plan and is consistent with the trend and character of the area.**)

MOTION #2: Member Pree made a motion to **close** the public hearing regarding the petition to re-zone 42W538 Carol Dr., Campton Hills IL. 60175 PINS: 08-21-201-010; 08-21-100-020; motion was seconded by member White Eagle. **PASSED**

Vote

Ayes – Carpenter, Brauer, Johnson, Pree, and White Eagle

Nays - None

Absent- Phillips

MOTION #3: Member Pree made a motion to **recommend** to the Campton Hills Corporate authorities that they **approve** the zoning change from F - Farm District to E2 Residential as requested by petitioner for this 3.073 acres lot at 42W538 Carol Dr., Campton Hills IL. 60175 **PINS: 08-21-201-010; 08-21-100-020**, and further the Commission agrees with the Findings of Fact; motion was seconded by member White Eagle. **PASSED**

Vote

Ayes – Carpenter, Brauer, Johnson, Pree, and White Eagle

Nays - None

Absent- Phillips

11. Motion to approve the January 23, 2017 Plan Commission/Zoning Board of Appeal meeting minutes. Member Pree took issue with the quality of the minutes. He stated that there was too much detail on certain things and lack of detail on others. Member Pree requested the addition of the words “The Plan Commission also discussed wetlands, water retention, and water detention and many other things”.

MOTION #4: Member Pree made a motion to approve the January 23, 2017 Plan Commission/Zoning Board of Appeal meeting minutes as corrected; motion was seconded by member Brauer. **PASSED**

Vote

Ayes – Carpenter, Brauer, Johnson, Pree, and White Eagle

Nays - None

Absent- Phillips

12. Comprehensive Plan

- i. Review of principles, policies and strategies
- ii. Status of each strategy

Commission members discussed the status of their Comprehensive Plan review and where their “charge” came from. The Commission also asked and received a report from staff regarding the status of the revised Zoning Code and Subdivision Ordinance being developed by Camiros.

13. Adjourn (Recess)

MOTION #5: Motion to recess the Commission meeting at 8:27pm until March 2, 2017 at 7:00pm to continue to Discuss & make a recommendation to the Village Board regarding the **Minor Subdivision Unit 1, Reserve of Campton Hills, 42W538 Carol Dr.**, and Discuss & make a recommendation to the Village Board regarding the **Final Plat of Unit 1, Reserve of Campton Hills, 42W538 Carol Dr., Campton Hills IL**; motion was seconded by member Drago. ***PASSED***

Vote

Ayes – Carpenter, Brauer, Johnson, Pree, and White Eagle

Nays - None

Absent- Phillips

Approved this _____ day of _____, 2017.

Chairperson Joe Carpenter

Village Clerk Vanessa Quail

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

March 27, 2017 - Minutes

14. Call to Order

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

15. 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.

16. 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.

17. 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

18. 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 _____ day of _____, 2017.

Chairperson Joe Carpenter

Village Clerk Vanessa Quail

May 22, 2017
7:15 P.M. (Following Regular Plan Commission Meeting)

CAMPTON TOWNSHIP COMMUNITY CENTER
5N082 Old LaFox Road
Campton Hills, Il 60175

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Public Comments -- Sign up sheets are at the rear of room. Please limit remarks to 3 to 5 minutes per person and please do not repeat topics previously discussed -- total time allotted is 30 minutes.**
- 5. New Business**
 - a. Plan Commission/Zoning Board of Appeals**
 - i. Role and Responsibilities- Overview**
 - ii. Community Development Philosophy**
 - b. Plan Commission Comprehensive Plan Work**
 - c. CMAP, ON TO 2050, Comprehensive Regional Plan. Discussion of Workshop Dates**
 - d. Other**
- 6. Adjournment**