

**VILLAGE OF ALGONQUIN
PLANNING AND ZONING COMMISSION
Meeting Minutes
Algonquin Village Hall Board Room
October 8, 2012**

AGENDA ITEM 1: Roll Call to Establish a Quorum

Present: Chairperson Patrician; Commissioners Hoferle, Szpekowski, Zaplatynsky and Sturznickel.

Absent: Commissioners Neuhalphen and Sabatine.

Staff Members Present: Russ Farnum, Community Development Director; Ben Mason, Senior Planner; and Kelly Cahill, Village Attorney.

AGENDA ITEM 2: Approval of Minutes from the September 10, 2012 Meeting.

Chairperson Patrician entertained a motion to approve the September, 2012 minutes. Commissioner Hoferle motioned and Commissioner Szpekowski seconded a motion to approve the minutes as presented. The voice vote noted all ayes and the motion carried.

Chairperson Patrician noted that the following items would be brought before the Planning and Zoning Commission for consideration this evening.

- Consideration of a Request for a Final Plat and Special Use Permit for Residential Use (Case No. 2012-09. 213-215 S. Harrison Street)

AGENDA ITEM 3: Consideration of a Final Plat and Special Use Permit for Residential Use
Case No. 2012-09. 213-215 S. Harrison Street

OPEN PUBLIC HEARING AND ESTABLISH QUORUM

Mr. Farnum called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Hoferle, Sturznickel, Zaplatynsky and Szpekowski. Absent: Commissioners Neuhalphen and Sabatine.

PETITIONER COMMENTS

Ms. Cahill swore in the petitioner and verified that proper notice of the meeting had been posted. Representing 213-215 S. Harrison Street was Jeff Jolitz, Owner.

Mr. Jolitz stated the property consists of two parcels and that a Final Plat of Consolidation is being prepared to combine the lots into a single parcel with one Property Identification Number (PIN). He explained the commercial building at the rear of the property has been vacant since February 2008, when the Beans and Books business closed. His realtor has received numerous inquiries for renting out the building for a residential use, however there has not been any

interest from potential business tenants. Mr. Jolitz noted that the Victorian house at the front of the property is more well-suited for a commercial use and possibly at some point in the future someone may want to both live and work in the property's buildings.

STAFF AND COMMISSION QUESTIONS/COMMENTS

Mr. Mason gave a brief overview of his memorandum of October 8, 2012. He explained that the property is zoned B-1 Business, Limited Retail and that a Special Use Permit is required for residential uses in a commercial zoning district. Mr. Mason noted that a Special Use Permit would bring the property into conformance with current zoning requirements as the Victorian home at the front of the property has continuously been used as residential and is considered a legal, non-conforming use. Staff recommended approval with the three conditions listed in the memorandum.

Chairperson Patrician inquired if there were any Commissioner questions or comments.

Commissioner Hoferle asked for clarification regarding consideration of a residential use in a commercial zoning district. Mr. Mason explained that a residential use is allowed as a special use in the B-1 or B-2 districts and he stated that the underlying zoning of the subject property would remain B-1, consistent with the village's Comprehensive Plan designation for the property. Ms. Cahill noted that a Special Use Permit for residential use allows for more options and would allow the property to revert back to commercial use without requiring another public hearing, since the underlying zoning will remain B-1.

Chairperson Patrician asked how the petitioner would convert the exterior of the commercial building to more closely resemble a residential structure. Mr. Jolitz stated that he intends to install a single front door in place of the building's existing double-door entranceway and he would also install a double-hung window in place of the fixed storefront picture window.

Chairperson Patrician asked when the Special Use Permit for residential use would expire. Mr. Mason stated that per Village Code, the petitioner would be required to obtain a building permit and start the proposed structural alterations within twelve (12) months, otherwise the special use approval would expire. Mr. Mason further explained that once the residential use is established, the Special Use Permit runs with the property and would remain valid unless and until residential use is discontinued for a period of six (6) consecutive months.

PUBLIC COMMENT

Chairperson Patrician called for public comments. There was no one wishing to make any comments. Chairperson Patrician closed the public comments.

COMMISSION MOTION ON PETITION

Chairperson Patrician entertained a motion to approve the request for Final Plat of Consolidation and Special Use Permit for residential dwelling units at 213-215 S. Harrison Street. Commissioner Szpekowski moved and Commissioner Hoferle Sturznickel seconded a motion to approve the request for Final Plat of Consolidation and a Special Use Permit consistent with the plans submitted by the petitioner, the conditions recommended by staff and the findings of fact

as presented to the Commission. The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Hoferle, Sturznickel, Szpekowski and Zaplatynsky. Nays: None. Absent: Commissioners Neuhaufen and Sabatine. Motioned carried.

CLOSE PUBLIC HEARING

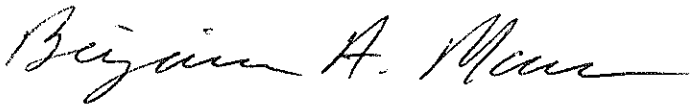
AGENDA ITEM 4: New/Old Business

- Open Meetings Act training: Commissioners were reminded to complete the mandatory online training: <http://foia.ilattorneygeneral.net>
- Reminder October 11 is a special joint meeting with Economic Development Commission and the Historic Commission to update progress on the Downtown Revitalization Plan
- Announcement that October 18 is Public Arts Commission's annual open house event

AGENDA ITEM 5: Adjournment

A motion to adjourn the meeting was seconded and a voice vote noted all ayes. The motion carried, and the meeting was adjourned at 8:00pm.

Respectfully Submitted,



Benjamin A. Mason
Senior Planner/Recording Secretary