

**VILLAGE OF ALGONQUIN  
PLANNING AND ZONING COMMISSION  
Meeting Minutes  
William J. Ganek Municipal Center-Board Room  
December 14, 2015  
7:30 p.m.**

**AGENDA ITEM 1:** Roll Call to Establish a Quorum

Present: Chairperson Patrician; Commissioners Sturznickel, Szpekowski, Postelnick and Laipert.

Absent: Neuhalphen and Hoferle

Staff Members Present: Katie Parkhurst, Senior Planner; Ben Mason, Senior Planner; and Kelly Cahill, Village Attorney.

**AGENDA ITEM 2:** Approval of Minutes from the September 14, 2015 Meeting.

A motion by Commissioner Szpekowski to approve the September 14, 2015 minutes as presented, was seconded by Commissioner Laipert and a voice vote noted all ayes. The motion carried.

**AGENDA ITEM 3:** Consideration of a Request for a Special Use Permit  
**Case No. 2015-11. 402 N. Main Street**  
Petitioner: Craig Krandel, Representing the Property Owner

**OPEN PUBLIC HEARING AND ESTABLISH QUORUM**

Mrs. Parkhurst called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Sturznickel, Szpekowski, Postelnick and Laipert. Absent: Hoferle and Neuhalphen.

**PETITIONER COMMENTS**

Ms. Cahill verified that proper notice of the meeting had been posted, and swore in the petitioner. Mr. Krandel explained that his clients have owned property at 402 N. Main Street for several years. They have recently decided to sell the property. During this process it was discovered that the mortgage companies of potential buyers are requiring the zoning be clarified to allow the home on the property to be used for residential purposes. The property is zoned commercial even though the building on the home was originally constructed as a single family home. Obtaining a Special Use Permit to allow the residential use will allow the purchaser to obtain a mortgage. Mr. Krandel explained this area of North Main Street has mostly residential uses.

**STAFF COMMENTS**

Mr. Mason reviewed his staff report for the Commission. Mr. Mason explained that the property was previously occupied as a single family residence. This use was permitted as the property was considered legal non-conforming; however, that status changed once property was vacant for a period of time. The Village would prefer to leave the commercial zoning in place and grant special use permits as necessary to allow for residential. Mr. Mason reviewed the conditions and stated that staff recommends approval with the findings of fact.

**COMMISSION QUESTIONS/COMMENTS**

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

*Commissioner Postelnick* asked about the use prior to it being vacant most recently. He asked for clarification as to why this property now needed the residential zoning or special use as it did not have that before. Mr. Mason answered that previously the property was considered a legal non-conforming use. Due to the vacancy that status was no longer valid.

*Commissioner Laipert* asked if there is a pending sale for the property to make sure that the special use permit does not expire prior to someone moving into the house. Mr. Krandel stated yes.

#### **PUBLIC COMMENT**

Chairperson Patrician called for public comments. There were none, so Chairperson Patrician closed public comments.

#### **CLOSE PUBLIC COMMENT**

#### **COMMISSION MOTION ON PETITION**

Chairperson Patrician entertained a motion to approve the request.

*Commissioner Szpekowski* moved and *Commissioner Sturznickel* seconded a motion to recommend approval of the request for a Special Use Permit for residential use at 402 N. Main Street, consistent with the findings of fact presented and the conditions submitted by Village Staff.

The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Sturznickel, Szpekowski, Postelnick and Laipert. Nays: None. Absent: Hoferle and Neuhalphen. Motion carried 5-0.

#### **CLOSE PUBLIC HEARING**

**AGENDA ITEM 4:** Consideration of a Request for a Plat of Resubdivision  
**Case No. 2015-10. Esplanade Resubdivision of Lots 2, 3 and 4**  
Petitioner: Stephen Daday, Representing First Midwest Bank

#### **OPEN PUBLIC MEETING AND ESTABLISH QUORUM**

Mr. Mason called roll to verify a quorum. Present: Chairperson Patrician; Commissioners Sturznickel, Szpekowski, Postelnick and Laipert. Absent: Hoferle and Neuhalphen.

#### **PETITIONER COMMENTS**

Chairperson Patrician noted this was not a public hearing item, and asked the petitioner to come forward. Stephen Daday, representing First Midwest Bank and Synergy Properties was present for the petitioner. Mr. Daday outlined the request for plat of resubdivision approval for three lots in Esplanade. Mr. Daday outlined prior history of Esplanade and that with the subsequent construction of a road through Lot 3, it is no longer marketable as a commercial lot. Therefore, the request is to subdivide the remainder of the buildable lot off to Lots 2 and 4. One of the village's comments was to provide a 47-foot easement for the existing roadway, to be consistent with other streets elsewhere in the development; the petitioner is requesting a reduction to 30-feet as this particular road does not include a center median.

#### **STAFF COMMENTS**

Mrs. Parkhurst outlined the request for a plat of resubdivision. The Esplanade development was approved in two phases, and the bank that owns the lots in question is proposing to better consolidate the vacant parcels that have remained undeveloped since the first phase was approved in 2005. Ms. Parkhurst noted

that Staff supports the resubdivision, as it will provide additional land to current Lots 2 and 4, making them more commercially viable. Staff is comfortable with the petitioner's request for a 30-foot access easement over the existing road.

#### **COMMISSION QUESTIONS/COMMENTS**

*Commissioner Szpekowski* asked if the lots proposed to be subdivided are residential or commercial, to which Mr. Daday clarified they are commercial lots.

#### **PUBLIC COMMENT**

Chairperson Patrician called for public comments. There were none, so Chairperson Patrician closed public comments.

#### **COMMISSION MOTION**

Chairperson Patrician entertained a motion to approve the request.

*Commissioner Sturznickel* moved and *Commissioner Laipert* seconded a motion to recommend approval of the request for a Final Plat of Subdivision for Esplanade Lots 2, 3, and 4, all consistent with the plans submitted and the conditions recommended by Village Staff.

The Roll Call noted the following: Ayes: Chairperson Patrician; Commissioners Sturznickel, Szpekowski, Postelnick and Laipert. Nays: None. Absent: Hoferle and Neuhalfen. Motion carried 5-0.

#### **AGENDA ITEM 5: New/Old Business**

There was no business to discuss.

#### **AGENDA ITEM 6: Adjournment**

A motion to adjourn the meeting by Commissioner Sturznickel received a second by Commissioner Szpekowski, and a voice vote noted all ayes. The motion carried and the meeting was adjourned at 7:50 p.m.

Respectfully Submitted,



Katherine T. Parkhurst, AICP  
Senior Planner