

MINUTES
WILL COUNTY LAND USE AND DEVELOPMENT COMMITTEE
August 11, 2009

Pledge of Allegiance

Chairman Weigel led the pledge of allegiance.

Call to Order:

Chairman Weigel called the meeting to order at 10:32 a.m.

Members Present at Roll Call:

Tom Weigel, Debbie Rozak, Kathleen Konicki, Brian Smith, Katrina Deutsche and Sharon May.

Members Absent:

Michael Wisniewski.

Staff Present:

David Dubois, Curt Paddock, Brian Radner, Eileen Franz, Mike Smetana, Karl Palmquist, Anita Wesse, Howard Hamilton, Ray Semplinski and Leigh Kelley.

State's Attorney Present:

Lyle Koester and Melanie Manning.

Others Present:

See sign in sheet.

Approval of Minutes:

Debbie Rozak made a motion to approve to amend page 1 of the transcript to read "Chairman Weigel" not "Acting Chairman"; seconded by Katrina Deutsch.

ALL IN FAVOR

MOTION CARRIED (6-0)

Katrina Deutsche made a motion to approve the amended public hearing transcripts from April 28, 2009; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (6-0)

PRELIMINARY PLATS AND PLANNED UNIT DEVELOPMENTS (PUD)

1. Lenwood Estates – 5781-MS

Chairman Weigel asked Mr. Smetana to open Case 5781-MS. The applicant is proposing a four-lot subdivision and would like to rezone the property from A-1 to E-2.

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The Will County Health Department submitted a letter stating concern that the lots may not contain sufficient land area for a properly sized septic tank and trench system.

Staff is recommending approval of a P.U.D. Preliminary Plat with the following conditions: 1. The applicants shall comply with Land Use & Zoning Committee Resolution 04-421 pertaining to School Facilities Fees. 2. Prior to final plat approval, the applicant shall submit a completed landscape plan depicting all proposed landscaping that is to be planted along the south side of West Lake Place. 3. Prior to final plat approval, the applicants shall submit the Homeowners Association document/covenants to the State Attorneys Office for review/approval. 4. Prior to final plat approval, a final, executed, West Lake Place Maintenance and Easement Agreement shall be submitted to the Will County Subdivision Engineering Division.

Mr. Smetana advised the Committee that staff recommended adding the following fifth (5) condition:

5. The County Board must approve a Variance to the Will County Stormwater Management Ordinance.

Brian Smith made a motion to add a fifth condition that reads “The County Board must approve a Variance to the Stormwater Management Ordinance; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (6-0)

Staff is recommending approval of a Special Use Permit for a Planned Unit Development with the following five (5) conditions: 1. The applicants shall comply with Land Use & Zoning Committee Resolution 04-421 pertaining to School Facilities Fees. 2. Prior to final plat approval, the applicant shall submit a completed landscape plan depicting all proposed landscaping that is to be planted along the south side of West Lake Place. 3. Prior to final plat approval, the applicants shall submit the Homeowners Association document / covenants to the States Attorneys Office for review / approval. 4. Prior to final plat approval, a final, executed, West Lake Place Maintenance and Easement Agreement shall be submitted to the Will County Subdivision Engineering Division. 5. Upon (fourteen) 14 days of written notice to the owner of record at their last known address, Will County Land Use Department and Will County Sheriff’s Department employees are hereby granted the right of entry in and upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the special use permit.

Staff is recommending approval of a Map Amendment from A-1 to E-2.

There were no objectors.

Debbie Rozak made a motion to approve a P.U.D. Preliminary Plat for Lenwood Estates 5781-MS with the five (5) conditions as listed above; seconded by Brian Smith.

ALL IN FAVOR

MOTION CARRIED (6-0)

Kathleen Konicki made a motion to approve a Map Amendment from A-1 to E-2; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (6-0)

Kathleen Konicki made a motion to approve a Special Use Permit for a PUD with the above listed five (5) conditions; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (6-0)

PUBLIC HEARING

1. Variance to the Will County Stormwater Management Ordinance-Lenwood Estates PUD

**Kathleen Konicki made a motion to go into public hearing; seconded by Debbie Rozak.
ALL IN FAVOR MOTION CARRIED (6-0)**

Ms. Konicki asked staff to give an overview. Mr. Smetana explained that the development is on an existing lake and the lake will act as storage for the development.

Ms. Konicki asked if the lake had the ability to absorb this water and Mr. Howard explained that the lake is a former gravel pit and it floats on the ground water table and the applicant's engineers provided calculations that show that the additional volume from the roofs has almost zero impact on the lake.

There was no one present who opposed this.

**Kathleen Konicki made a motion to close the public hearing; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (6-0)**

**Debbie Rozak made a motion to grant a Variance to the Will County Stormwater Management Ordinance for Lenwood Estates PUD; seconded by Kathleen Konicki.
ALL IN FAVOR MOTION CARRIED (6-0)**

FINAL PLATS

1. Lang Subdivision – FR – Request to waive preliminary plat and process as minor subdivision

Chairman Weigel advised the Committee that the applicant wished to table this request.

**Kathleen Konicki made a motion to table this case; seconded by Debbie Rozak.
ALL IN FAVOR MOTION CARRIED (6-0)**

TABLED ZONING CASES
REMANDED ZONING CASES
NEW BUSINESS (ZONING CASES)

5828-M2 Frankfort Fire Protection District

Chairman Weigel asked Mrs. Franz to open Case 5828-M2. The applicant is requesting a Map Amendment from A-1 and E-2 to C-1 for Parcel 2 (Lot2) and a Map Amendment from E-2 to R-1 for Parcel 1 (Lot 1). The purpose is to construct a fire station on Parcel 1 and obtain commercial zoning.

There were no objectors.

Sharon May made a motion to approve a Map Amendment from A-1 and E-2 to C-1 for Parcel 2 (Lot 2); seconded by Katrina Deutsche.
ALL IN FAVOR **MOTION CARRIED (6-0)**

Katrina Deutsche made a motion to approve a Map Amendment from E-2 to R-1 for Parcel 1 (Lot 1); seconded by Sharon May.
ALL IN FAVOR **MOTION CARRIED (6-0)**

5836-S Heartland Investors, Inc.

Chairman Weigel asked Mr. Palmquist to open Case 5836-S. The applicant is requesting a Special Use Permit for an Auto Body Repair Business for Condo Unit 95.

Staff is recommending approval of this request with the following six (6) conditions: 1. Upon (fourteen) 14 days of written notice to the owner of record at their last known address, Will County Land Use Department and Will County Sheriff's Department employees are hereby granted the right of entry in and upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the special use permit. 2. The applicants shall comply with the current Will County Building Ordinance and Codes (Resolution #01-442). 3. No vehicles may be parked overnight outside of the building. 4. Applicant shall meet the off-street parking requirements of the Will County Zoning Ordinance. 5. All repair and servicing shall be conducted within the closed garage. 6. Applicants are required to be in-compliance with Illinois EPA regulations, enforced by the Waste Services Division of Will County Land Use Department.

There were no objectors.

Brian Smith made a motion to approve a Special Use Permit for an Auto Body Repair Business for Condo Unit 95 with the above listed six (6) conditions as recommended by staff; seconded by Debbie Rozak.
ALL IN FAVOR **MOTION CARRIED (6-0)**

5842-SV Diaz

Chairman Weigel asked Mr. Palmquist to open Case 5842-SV. The applicant is requesting a Special Use Permit for horses and a Variance for accessory structures for the stabling of horses from 1800 sq. ft. to 4,207.01 square feet.

Staff is recommending denial of a Special Use Permit for horses based upon the findings of fact, however if the request is approved staff recommends the following eleven (11) conditions: 1. Upon (fourteen) 14 days of written notice to the owner of record at their last known address, Will County Land Use Department and Will County Sheriff's Department employees are hereby granted the right of entry in and upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the special use permit. 2. A six (6) foot high fence shall be constructed around the perimeter of the stable used for the horses. 3. The applicants shall comply with the current Will County Building Ordinance and Codes (Resolution #01-442) with the exception that a concrete floor will not be required in the proposed accessory structure. 4. The boarding of the horses is strictly for private use only. 5. The applicant shall not apply or stockpile manure within 150 feet from any well in accordance with Illinois Department of Agriculture regulations. 6. Manure may not be spread or stockpiled in the floodplain. 7. The applicant must submit a

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manure management plan since property is at a higher elevation than the western property. The plan must show how the manure will be managed in regards to runoff. 8. The applicant shall not open dump manure on the property to allow odor nuisances. 9. Manure may not be accumulated over a 6 month time period. If manure is to be accumulated for 6 months the owner of the property shall erect a three- sided structure to store manure. 10. Proper disposal of manure shall take place through a licensed Waste Hauler or land applied at agronomic rates to farm field. 11. Applicant shall be limited to five (5) personal horses on the subject parcel.

Staff is also recommending denial of a variance for accessory structure square footage from 1800 square foot to 4,207.01 square foot based upon the findings of fact.

Mrs. May explained that she visited this parcel and feels that the property is too narrow for five horses. She asked why the location of the stable is being put on the first one-third of the property, she then asked if the stable couldn't be moved farther back on the parcel. Mr. Radner explained that the applicant could place the stable further back but the way the applicant applied for this special use permit was for a designated area on the property. If he moved the stable out of that area it would not fit in the legal description the applicant would have to go back to the beginning and re-notify the legal description. The location can't just be changed.

Ms. Konicki asked what the minimum frontage was for E-2 zoning was and staff answered 180'. Ms. Konicki stated if the applicant requested a Map Amendment to E-2 he would be allowed the horses by right and Mr. Radner told her that was correct.

Debbie Rozak stated this parcel was R-2 when the applicant purchased this property and she agreed with the staff report that this is not a hardship.

Mr. Andy Dystrup (attorney for the neighbors to the east) referred to the overhead photo that showed the zoning for the area. Mr. Dystrup explained that if the stable were farther back on the property it would not be as much of an impact. If and when the applicant decides to sell this property the stable will still be there. He explained that his client is opposed because they believe this would definitely have a negative impact on their property. There are no unique circumstances for the applicant. They are opposed to this request in its present form and asked that it be denied.

Mr. Tom Osterberger (attorney for the applicant) stated that parcel is in horse country and that Ms. Konicki's comment regarding the E-2 zoning was right on point. Horses would be permitted by-right if we had fifteen more feet of frontage, in theory, seven and a half more feet on each side, that's all. The Ordinance states that a special use can be granted in R-2 and we meet all of the requirements and have double the acreage. The area is all agriculture. The Land Use Management Plan shows this area as rural. His client has received no other objections.

Mr. Osterberger explained that the neighbors don't want to see a building or horses. Mr. Osterberger suggested the LUDC table this so that he could have his client at the next meeting and also have his client speak with Mr. Dystrup.

Debbie Rozak asked how far would the stable be from the lot line of the Schulers and Mr. Palmquist answered fifty feet on the west and fifty-five feet on the east.

Mrs. Rozak stated that maybe the stable could be moved further back on the property and asked if there were any fees that could be waived and Mr. Dubois explained that staff had no authorization to waive fees on a new

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application but if the case was remanded back to the Planning and Zoning Commission and amended to change the legal description, publish it and use the same case number the applicant would be compelled to pay for additional notification and legal publication fees.

Mrs. May advised Mr. Osterberger that she agreed with Mrs. Rozak she would like to see a compromise between the objectors and the applicant. Ms. Konicki spoke to Mr. Osterberger and also suggested the applicant speak with the neighbor that opposed his request and try to reach an agreement.

**Kathleen Konicki made a motion to remand this case back to the PZC; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (6-0)**

5854-S Harlem Crossings, LLC

Chairman Weigel asked Mr. Smetana to open Case 5854-S. The applicant is requesting a Special Use Permit for a drive through window for a fast food restaurant.

Staff is recommending approval of the Special Use Permit with the following six (6) conditions: 1. Upon (fourteen) 14 days of written notice to the owner of record at their last known address, Will County Land Use Department and Will County Sheriff's Department employees are hereby granted the right of entry in and upon the premises for the purpose of inspecting the premises and uses thereon for compliance with the terms and conditions of the special use permit. 2. All lights used to illuminate driveways or maneuvering areas shall be so designed, arranged, and screened so that the source of lighting shall not be visible to adjacent residential uses. All lighting fixtures, including security lighting, shall not be of an intensity that adversely impacts adjacent residential uses. 3. Hours of operation for the drive through are limited from 6 a.m. to 11 p.m. 4. A mixture of shade trees and conifers shall be planted west of proposed drive through along the existing fence. A landscape plan depicting this screening shall be submitted to the Will County Land Use Department within 60 days of County Board Approval. 5. Curbing or striping shall be installed, clearly establishing the drive through lane. This shall be included in the landscape plan that must be submitted to the Will County Land Use Department within 60 days of County Board approval. 6. The access point located to the east of the existing commercial building must be completed prior to drive through operations commencing.

There were no objectors.

**Kathleen Konicki made a motion to approve a Special Use Permit for a drive through with the above listed six (6) conditions; seconded by Debbie Rozak.
ALL IN FAVOR MOTION CARRIED (6-0)**

PREAUTHORIZATION TO FORECLOSE

1. Erin Hills #4C – Homer Glen - \$62,765.00

Ms. Wesse recommended foreclosure on the Erin Hills Unit 4C letter of credit in the amount of \$62,765.00

**Kathleen Konicki made a motion to approve authorization to foreclose on Erin Hills Unit 4C; seconded by Katrina Deutsche.
ALL IN FAVOR MOTION CARRIED (6-0)**

2. White Oaks Estates PUD – Frankfort - \$384,693.11

Ms. Wesse advised the LUDC that staff recommended foreclosure on the letter of credit for White Oaks Estates PUD in Frankfort Township in the amount of \$384,693.11.

**Kathleen Konicki made a motion to approve authorization to foreclose on White Oaks Estates, PUD; seconded by Sharon May.
ALL IN FAVOR**

MOTION CARRIED (6-0)

OTHER

1. 5735-MV3 Variance Extensions (09-02-E)

Mrs. Franz gave an overview. She explained the applicant is requesting this extension due to economic reasons.

Mr. Dystrup (attorney for the applicant) explained that this request is to remove the parking bumper and landscape requirements.

**Debbie Rozak made a motion to approve a Variance extension for Case 5735-MV3 to remove the requirement of parking bumpers (Section 12.12.1-5 (6)); seconded by Brian Smith.
ALL IN FAVOR**

MOTION CARRIED (6-0)

**Debbie Rozak made a motion to approve a Variance extension for Case 5725-MV3 to remove requirement for landscaping along the north property line (Section 12.12.1-5 (13)); seconded by Sharon May.
ALL IN FAVOR**

MOTION CARRIED (6-0)

2. Text Amendment – Definition of Accessory Structure

Mr. Radner gave an overview. The Department was approached by a landowner who wanted to convert a mobile home into an accessory structure. The current Zoning Ordinance does not prohibit the conversion of mobile homes to accessory structures. In order to address this issue, the Department researched the matter and identified a definition for accessory structures that would prohibit the conversion of mobile homes to accessory structures. Mr. Radner explained he prepared two changes to the ordinance they are basically the same language but accessory buildings is referenced in Section 8.7 of the zoning ordinance and in the definition Section 16.2. The addition would read: No mobile home, tank, junk object, or salvage materials, semi-trailer, vehicle or similar item shall be utilized as an accessory building or storage structure, provided, however, that such requirement shall not be applicable to tool sheds, or similar temporary storage structures utilized pursuant to the construction of a building in compliance with the temporary use provisions identified in this zoning ordinance. This would not prohibit a contractor from using a structure such as a container or whatever on a job site; that is already permitted by our ordinance with a temporary use.

Mr. Radner asked if any Committee members have questions or comments.

Ms. Konicki asked why cargo containers are specifically not listed and Mr. Radner explained. Ms. Konicki stated she believed this was leaving the door open and the term cargo container should be added to the new

definition and not be omitted. Ms. Konicki stated she would like to make a motion to add the term cargo container.

Ms. Konicki made a motion to add the term cargo container to the definition of accessory structures

Chairman Weigel asked for a second, there was none.

Conversation ensued between Ms. Konicki and Mr. Koester from the States Attorneys Office.

Ms. Konicki made a motion to table this to allow staff to look into this

Mrs. Rozak stated she was concerned that this would contradict what we already have for cargo containers.

Mr. Paddock replied.

Mrs. Rozak seconded Ms. Konicki's motion.

ALL IN FAVOR

MOTION CARRIED (6-0)

Mr. Moustis asked since this makes reference to permanent structures not temporary structures why we would mention construction type trailers when they are already allowed as a temporary structure and Mr. Radner explained.

Mr. Moustis stated with regard to Ms. Konicki's concern why not just state what is permitted and everything else is not permitted.

Mr. Paddock stated this was on today's agenda to hear Board Members comments and staff will come back with suggestions.

3. Text Amendment – Cargo Containers

Mr. Radner explained that in 2002 the Land Use Department staff began receiving inquiries regarding cargo container storage and it was the type of storage more affiliated with intermodal transportation. Staff worked to get a resolution out to require a Special Use Permit for that use and it was approved in January 2003. Staff then expanded upon those requirements and made them more stringent with specific setbacks, locations, where the could be placed in relation to floodplain and wetlands and that was approved in June of 2003. This also included a "sunset" provision that stated: all containers would have to be removed within six months of the adoption of the ordinance". That would have been December 19, 2003 and any containers that remained on property after that date that did not meet the requirements of that section were illegal non-conforming. We have recently been confronted with a number of people who have been cited for cargo containers on an industrial lot that are associated with an industrial use such as contractor storage, roofing materials or materials related to their contracting business. Those people have been cited for cargo containers on their property and for being in violation of the County Zoning Ordinance since they were all suppose to be removed from the property. What the ordinance allows is for those owners to either remove the container from the property and be in compliance or there is a provision that allows them to apply for a Special Use Permit to bring the property into compliance. This is what has occurred recently with both the Mitchell and Stipanovich cases. In the past a few industrial property owners have received Special Use Permits as well for cargo container storage. They have all been approved by the LUDC and gone on to the County Board and then approved. Some have been given time limits

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and some have not. Most recently there was discussion of a three- year time limit and then they would have to be removed. This brings us to the possibility of three options for addressing cargo container violations that our Department is currently facing.

1. Prepare a text amendment that expands authorized temporary use permits to include cargo containers for personal/business use on premises. The temporary use permit could require property owners who have cargo containers on their property to apply for temporary use permits that would only allow the uses to continue through specific dates in the future. This could be coordinated with a new sunset provision.
2. Maintain the current process of having property owners either remove the cargo containers or apply for a special use to keep them.
3. Prepare a text amendment to the Zoning Ordinance that would allow containers in specific zoning districts as an accessory use, special use, or permitted use. This would possibly bring many existing cargo containers into compliance.

Mr. Radner advised the Committee that staff would like them to discuss these options or provide additional options to take care of this matter and based on the consensus the Committee could provide staff with direction for further research and development of draft text amendments for their consideration.

Debbie Rozak asked about a fourth option- once the owner has been cited they would be given a certain amount of days (such as 180 days) to remove the containers and they would not have to go through the whole process. Mr. Radner explained that would be handled through the Code Enforcement Division.

Mr. Paddock stated in normal zoning ordinance enforcement activities, once a complaint is received an investigation is conducted and if there is a violation a violation letter is sent out and they are given approximately 10 days to remedy the situation or contact the County. There is a certain amount of administrative discretion that comes into play and if we feel there is due diligence being made toward rectifying the situation and if there is no affirmative action toward resolving the situation a second letter is sent giving another ten days or the matter will be reported to the States Attorney and become a matter for the courts. These types of situations are not a matter of the ordinance they are a matter of administrative practice. These types of matters are to treat them as a zoning violation. With regard to Mrs. Rozak's suggestion of giving 180 days, we would have that discretion but we would need a compelling reason to treat this type of zoning violation differently from any other in terms of how aggressively we were asking them to come into compliance before making it a matter before the courts. With regard to avoid having this matter come before the County Board (during the enforcement process), we could try to grant a little more leeway and not have it become a matter of a Special Use Permit. Currently the ordinance provides for an option to seek a Special Use Permit.

Ms. Konicki explained that she is not a supporter of cargo containers and did not see how anything would be gained by having a sunset provision. She stated it is very important for staff to continue the process of identifying all of the cargo containers and putting the owners of the parcel on notice of what our ordinance is about.

Ms. Konicki stated she would never support option number three; which would expand the zoning districts and allow cargo containers beyond the I-3 district and would want to keep the special use requirement in place for their location even in the I-3 district.

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Ms. Konicki stated she favored an administrative process where (if staff perceived no detriment to allowing them to remain on the parcel for three more years) that staff would have the ability to grant the three- year time limit on those cases. This would put the owners on notice and they would be required to come in and go through the administrative process or else we would close them down.

Ms. Konicki stated every effort should be made to get some kind of notice out in the newspaper to get the word out. The Land Use staff should continue to identify every one of the parcels so every one basically gets the same notice that the three years is running. She would like to see a three- year time limit and have it start now for everyone.

Conversation ensued regarding what would happen if in 2010 when the three years is up and staff found a parcel with a cargo container and Mr. Paddock explained that the administrative authority that is typically given is for a use that is described as a permanent temporary. The Zoning Administrator is authorized to grant a temporary permit, we might have to amend the ordinance so as to put this particular type of use into the category of permanent temporary uses and then would inform the individuals that they have an opportunity to apply for a temporary use permit and they can have that temporary use permit for up to three years. This would be the way to bring them into alignment with administrative discretionary judgments.

Ms. Konicki asked what would be the typical maximum time frame for a temporary use and Mr. Semplinski answered 180 days. Ms. Konicki would prefer to give less than three years but did not see how it would be possible since other parcels with cargo containers have been given three years.

Mrs. May stated she agreed with a shorter time period for these cargo containers and she would like to see an end date.

Conversation ensued regarding having a one- year time limit.

Mr. Paddock pointed out that staff would have to be careful in how this was drafted because if you have the option to pursue a temporary three-year permit, unless staff removes it, they would still have the option to also apply for a special use permit.

Ms. Konicki stated she would like to see cargo containers only allowed in the I-3 district, they are currently all over and any not located in the I-3 district would be given the drop dead date. This would apply to cargo containers already in place.

Mrs. Rozak asked if cargo containers were allowed in I-1 and I-2 districts and Ms. Konicki answered that cargo containers are allowed only in the I-3 district and only with a special use permit and Mr. Radner explained that it would only be as a permitted special use that could be requested and there is still a possibility they could be in A-1 for agricultural use and in areas where construction is occurring.

Mr. Dubois stated that the County already authorized the use of a container on a job site for construction but when that job site's construction is done the contractor who uses that container on the site needs a place to put the container between jobs this is an issue that need to be addressed. Contractor's shops and yards are permitted in the I-2 and I-3 districts, this may be something that should be authorized within those districts for that particular purpose with a number. Chairman Weigel agreed.

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Mrs. Rozak stated she is in favor of being consistent and she would be in favor of a shorter time frame than three years.

Mr. Moustis explained the original intent of the I-3 zoning was not for utility buildings, storage buildings or accessory buildings the intent was for the actual storage of the containers themselves. In the I-3 district they would have to be allowed as accessory structures. It was never the intent within the ordinance to use them for anything else. The County Board should decide what type of structures would be allowed for outdoor storage. If the Board wants to eliminate storage containers, then eliminate them for that type of use. This may be an easier way.

Ms. Konicki stated her intent in 2003 was to not see these cargo containers in any zoning district except I-3 and she has received complaints that people who use the cargo containers for storage are not paying their fair share of property taxes and we should be encouraging permanent structures rather than containers. Mr. Moustis suggested with regards to storage containers used by contractors, they would have to go in a contractor's yard that is appropriately screened. Just say that cargo containers are not allowed in any zoning classifications except I-3 where the containers can be stored and make an exception for a contractor's yard that is appropriately screened.

Mrs. Rozak asked Mr. Moustis if he meant to give a sunset provision and Mr. Moustis stated you would just say that cargo containers are not allowed for an accessory structure or storage structure.

Mr. Moustis stated he liked Ms. Konicki's suggestion that the parcels with cargo containers be identified and give proper notification that this is the date they must be removed. There is no coming into compliance. Mr. Moustis stated he liked eighteen months or twenty-four months. This would be only for the containers in place before 2003, if you put one in after the adoption of the ordinance they could be given only a six-month time limit.

Ms. Konicki stated staff is working on an amendment that will specifically eliminate cargo containers as accessory storage.

Mr. Paddock explained that today staff wanted to hear what the consensus of the LUDC was with regard to cargo containers.

Ms. Konicki stated if we are going to allow cargo containers in the I-1 and I-2 zoning district and contractor's yards with appropriate screening it is imperative that they are not allowed to be stacked because you cannot screen properly if they are stacked. Mr. Moustis stated that comes under screening and gives staff a lot of discretion as to what kind of screening is to be used.

Mr. Paddock advised the LUDC that there is a trend within the cargo container industry to make them into structural buildings. They have been recognized to have certain structural strength that is not possessed by many other forms of sheds or buildings.

Ms. Konicki reiterated her concern about people skirting around the property tax issue by using cargo containers. Mr. Paddock stated staff should talk to the Supervisor of Assessments and the Treasurers Office to get a better understanding of how these types of units are being treated from a tax standpoint.

REPORTS, COMMUNICATIONS, CORRESPONDENCE

Ms. Konicki asked Mr. Paddock if New Hope filed a request for a rebate for some of its building permit fees and asked Mr. Paddock to check into it.

Mr. Semplinski introduced himself to the Committee and gave an overview of an initiative that he began last year. He stated the Building Division in emergency situations is the “parent division” of all municipalities. If they have a problem trying to manage their own disasters: flood, tornado, fire, etc, Will County’s Building Division is tasked with coming up with assessments and some form of overall direction after that.

Mr. Semplinski explained that he has contacted communities with a population of 5,000 or less for their input and their interest. Ten communities were contacted during the last year and two have contacted him. One is just slightly above the 5, 000 mark and appears to show some interest.

Mr. Semplinski stated he would like to pursue this and bring back something a little more concrete but in the interim he asked the Committee members for their input if they are hearing from people in their particular districts or if the members themselves have anything they would like him to look into. He asked the members to contact him with any questions or concerns.

Chairman Weigel stated he thought this was a good program to help the small communities.

Mr. Semplinski advised that he currently has three building inspectors and would not want this project to get out of hand and overload those inspectors. He wants to supplement each inspector’s daily route with inspections that they would otherwise be passing on their way to unincorporated areas. The timeline is such that when he sees files close, when one ends another one begins.

Mrs. Rozak asked Mr. Semplinski if he spoke to the States Attorneys Office to be sure this is not a conflict and Mr. Semplinski explained that in the infancy of Homer Glen when they had just begun incorporating and began doing the things that municipalities do, the County was tasked as an agency with an intergovernmental agreement to provide those services for a period of time for a set fee. This was used as the basis and he will make it a little more all encompassing.

Ms. Konicki asked Mr. Paddock to give her a copy of the fee schedule, she remembers us being way below what other Counties were charging for preliminary plats.

Mr. Paddock stated that what Mr. Semplinski was referring to was building inspections and perhaps building reviews. Several of these smaller communities either had some staff of their own to perform building inspections or they contracted out to various private services and the concept here is to provide a cost effective alternative to some municipalities who have recently had to let go their building inspection staff. This would be a more effective utilization of our current staff plus supplement the County’s revenue by performing a service for a new market.

Conversation ensued regarding this topic.

Ms. Konicki asked with regard to building plan reviews which ordinance would be followed the municipalities or the Counties and Mr. Semplinski answered by ordinance they would have to adopt the County’s Building Ordinance. There would be a more contiguous flow of the County Ordinance. There are some small towns in

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our county that have absolutely no building codes or ordinance. As this continues we can put together something that is going to work for us as well as for the other municipalities.

Jim Moustis advised the Committee that Homer Glen adopted the County's Building Codes.

Ms. Konicki asked if staff had current data for fee schedules and Mr. Paddock answered when last reviewing the fee schedules, building fees were not included because they had just been updated. It has been approximately 4-5 years since the building fees were updated.

Ms. Konicki asked if there was any reason to limit this to municipalities that have less than 5,000 people and Mr. Semplinski stated that he did not have the adequate staff. He would like to begin a pilot program that would give us some indication as to the strengths and weaknesses of the program and build upon that. Mr. Semplinski stated that by starting with the smaller communities it would give a benchmark as to what our abilities are per person.

Conversation ensued regarding recouping our costs.

Mr. Hamilton gave an update on the Regional Water Supply. The report is almost complete, there are two more meetings and a final report will be submitted to the Committee for adoption in November.

The next step is that it could lead to state regulation of water withdrawals from the St. Peters aquifer service region; which encompasses all of Will County. Currently there are no state regulations on that and we want to be very careful as to how this report is written. The next two meetings will be specifically on governance issues and that is why Mr. Hamilton has invited Chairman Weigel and a representative from the County Executive's office to attend the last two meetings.

Ms. Konicki asked about the Hadley Valley aquifer and St. Peter's aquifer and Mr. Howard explained that the St. Peter's aquifer is a deeper aquifer that serves thirteen counties in Illinois.

ADJOURNMENT

Kathleen Konicki made a motion to adjourn; seconded by Debbie Rozak.

ALL IN FAVOR

MOTION CARRIED (6-0)

The meeting recessed at 12:33 p.m.