

MINUTES
WILL COUNTY LAND USE AND DEVELOPMENT COMMITTEE
July 14, 2009

Pledge of Allegiance

Chairman Weigel led the pledge of allegiance.

Call to Order:

Chairman Weigel called the meeting to order at 10:31 a.m.

Members Present at Roll Call:

Tom Weigel, Kathleen Konicki, Sharon May, Michael Wisniewski and Brian Smith.

Members Absent:

Debbie Rozak, Katrina Deutsche.

Staff Present:

David Dubois, Brian Radner, Curt Paddock, Steve Lazzara and Anita Wesse.

State's Attorney Present:

Melanie Manning

Others Present:

See sign in sheet.

Approval of Minutes:

Michael Wisniewski made a motion to approve the minutes from June 18, 2009; seconded by Sharon May.

ALL IN FAVOR

MOTION CARRIED (4-0-1)

Kathleen Konicki made a motion to approve the minutes from June 30, 2009; seconded by Brian Smith.

ALL IN FAVOR

MOTION CARRIED (5-0)

PRELIMINARY PLATS AND PUD

FINAL PLATS

TABLED ZONING CASES

REMANDED ZONING CASES

NEW BUSINESS (ZONING CASES)

PREAUTHORIZATION TO FORECLOSE

1. Schoolhouse Industrial Park, Units 1 & 2 – NL - \$84,459.00

Anita Wesse advised the Committee that staff recommended pre-authorization to foreclose on the Schoolhouse Industrial Park subdivision, Units 1 & 2 in New Lenox Township in the amount of \$84,459.00. Chairman Weigel asked if there was still work to be done and Ms. Wesse explained they still needed to submit their as built drawings and a letter of credit for maintenance. Chairman Weigel asked if staff still needed to do this foreclosure and Ms. Wesse answered yes to make sure the letter of credit does not expire.

**Kathleen Konicki made a motion to approve pre-authorization to foreclose on Schoolhouse Industrial Park Units 1 & 2 in New Lenox Township in the amount of \$84,459.00; seconded by Brian Smith.
ALL IN FAVOR MOTION CARRIED (5-0)**

2. Skender – HG - \$55,559.50

Anita Wesse advised the Committee that staff recommended pre-authorization to foreclose on the Skender Subdivision in Homer Glen in the amount of \$55,559.50.

Ms. Konicki asked if this was in Homer and Ms. Wesse explained this subdivision was platted prior to the incorporation of the Village of Homer Glen so the County is still holding the letter of credit. Staff is working with the Village of Homer Glen’s personnel to make sure it is completed properly. We still hold the letter of credit. Ms. Konicki asked if there is any protocol for tendering responsibilities and the management to the Village and Ms. Wesse answered no; staff has been submitting the files and the management of the subdivisions in Homer Glen as they are completed. Ms. Konicki asked if there has been any contact with the Village about whether they would appreciate taking over the management from now to completion and Ms. Wesse explained that she has had many discussion with them.

**Kathleen Konicki made a motion to approve to pre-authorization to foreclose on Skender subdivision in Homer in the amount of \$55,559.50; seconded by Sharon May.
ALL IN FAVOR MOTION CARRIED (5-0)**

OTHER BUSINESS

1. Data License Agreement with Oswego Community Unit School District 308

**Michael Wisniewski made a motion to approve a Data License Agreement with Oswego Community Unit School District 308; seconded by Brian Smith.
ALL IN FAVOR MOTION CARRIED (5-0)**

2. Data License Agreement with Homer School District 33-C

**Kathleen Konicki made a motion to approve a Data License Agreement with Homer School District 33-C; seconded by Michael Wisniewski.
ALL IN FAVOR MOTION CARRIED (5-0)**

3. Text Amendment – Definition of Accessory Structure

Brian Radner explained that staff was recently confronted with an issue regarding a property owner wanting to convert a mobile home into an accessory structure for storage of lawnmowers. The Zoning Ordinance does not address the issue of the conversion of any structure to be used as an accessory structure if they can make it meet the building codes. Staff researched and came up with a definition that would address accessory structures and would like feedback from the Committee members and would like to take this forward as a text amendment if the Committee agrees with this definition. **Accessory Structure** – Accessory buildings shall be stick-built or the equivalent new building construction, 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 as long as the period of construction does not exceed one (1) year.

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Chairman Weigel stated the definition did not include cargo containers and Mr. Radner stated staff did want to look at cargo containers. The current ordinance still allows for limited use of cargo containers such as governmental operations for recycling, for construction for a limited period while a contractor is working at a job site or for agricultural protection. Staff will address this matter also.

Conversation ensued regarding the possible future use of cargo containers for office buildings or residences.

Mr. Dubois advised the Committee that staff would be looking into the temporary use aspect of cargo containers based upon the zoning.

Mrs. May asked about conversation from a previous meeting about the temporary use of cargo containers and putting in an end date for the use and Mr. Dubois explained that staff would be addressing this in the near future by revisiting authorized temporary uses and it would be as a text amendment to the zoning ordinance.

Ms. Konicki asked staff if they are going to come back to the Committee with some proposed alternate procedure for giving the existing cargo containers three years to get out. Mr. Dubois explained this item was put on the Executive Committee agenda for committee assignment and it was assigned to a Land Use Committee for the staff to work with the Committee to find a solution and appropriate text amendments to do this. Staff will be working with the Committee to address this issue.

Ms. Konicki expressed her concerns about the cargo containers not being taxed and the need for the proper language to address this situation.

Chairman Weigel advised Mr. Radner that the definition for accessory structure would be put on the agenda for August.

4. Water Resource Ordinance Revise and Redraft

Anita Wesse explained that now that the Subdivision Ordinance has been completed staff would like to follow up now with a revision to the Water Resource Ordinances for unincorporated Will County. There are currently four Resource Ordinances that were adopted in 1998, in addition to these ordinances we also have to regulate to the Will County Stormwater Management Ordinance that was adopted in 2004. Since there are two different ordinances that staff has to review projects by there has been confusion by developers and developer's engineers. The ordinances are not exactly alike in many ways. The Countywide ordinance is the ordinance that was passed in 2004 and it provided minimum standards to develop property by and in some cases our four Water Resource Ordinances are a little more restrictive and they also contain provisions for wetland protections that the Countywide ordinance does not. Staff requests that the LUDC authorize staff to combine the two ordinances using the more restrictive section of either ordinance and combine them into one ordinance that has the same type of numbering system and same type of layout as the Countywide ordinance. Staff believes this would be a little easier and less confusing for developers and their engineers. Staff has a draft of this ordinance combining the two ordinances and at this time staff would like the LUDC to give authorization to send this draft out to the various other agencies: FEMA, Army Corps of Engineers, IDNR, etc. to continue working on appendixes and to basically get this ordinance ready for public hearing.

Ms. Konicki stated she favored the combining of the two ordinances.

Kathleen Konicki made a motion to allow staff to combine the two ordinances; seconded by Michael Wisniewski.

ALL IN FAVOR

MOTION CARRIED (5-0)

REPORTS, COMMUNICATIONS, CORRESPONDENCE

Mr. Dubois advised the Committee that staff has been looking at what work we want to accomplish in the next six to twelve months and this was discussed with Chairman Weigel. The Water Resource Ordinance is out of date and we would like to do a comprehensive revision to the Zoning Ordinance. The Zoning Ordinance was adopted in 1978 with the comprehensive rezoning. Since 1978 there has been approximately seventy amendments to the ordinance, there are a lot of inconsistencies in the document itself and between other documents such as the County's Building Codes as well as the Subdivision Ordinance. This creates problems not only internally but also with the public. There are many things that need to be adjusted including bringing things up-to-date with regard to terminology and technology, wireless internet providers, etc. There are things within the document itself that there are issues with such as: landscaping, parking, governmental facilities, etc. This process will probably take twelve to eighteen months. The primary goal is to make the Zoning Ordinance consistent with the other County documents including the County Policy and the Land Resource Management Plan, clean it up and make it more user- friendly and bring it up to date. What staff will bring forward in the near future is a detailed work plan and time line. Brian Radner and Mr. Dubois are currently working on an RFQ/RFP process.

Ms. Konicki asked if there was any chance to re-activate the A-2 zoning and Mr. Dubois replied that staff had identified forty-five items on the problem list and agricultural issues are on the list including A-2.

Conversation ensued regarding a prior temporary use permit that was granted to allow alcohol sales in conjunction with a charades and Mr. Paddock explained there were no police reports filed or any complaints received by our office so it appears that everything went well. Mr. Paddock also explained that staff is working Mr. Munoz to hold a stakeholders meeting.

Mr. Dubois also informed the LUDC that there is a need to update the Land Resource Management Plan that was adopted in April of 2002. The time frame for updating the plan is typically five to ten years after its adoption. Part of the update would include looking at the form map and updating the categories that may have changed over the course of the past seven years. Staff would perform a review of the document and identify other areas that may need to be addressed as well. This was discussed with Chairman Weigel.

ADJOURNMENT

Kathleen Konicki made a motion to adjourn; seconded by Brian Smith.

ALL IN FAVOR

MOTION CARRIED (5-0)

The meeting recessed at 11:10 a.m.