

**MINUTES  
WILL COUNTY LAND USE AND DEVELOPMENT COMMITTEE  
DECEMBER 13, 2011**

**Call to Order**

The meeting was called to order at 9:35 a.m.

**Pledge of Allegiance**

Chairman Weigel led the Pledge of Allegiance.

**Members Present at Roll Call**

Tom Weigel, Debbie Rozak, Kathleen Konicki, Sharon May, and Brian Smith (arrived at 9:45) were present.

**Members Absent**

Katrina Deutsche and John Argoudelis were absent.

**Staff Present**

Amy Munro, Brian Radner, Curt Paddock, David Dubois, Eileen Franz, Michael Smetana, Pat Cline and Thomas Carroll were present.

**State's Attorney Present**

Melanie Manning was present.

**Others Present**

See sign-in sheet.

**Approval of Minutes**

The minutes of November 8, 2011, were presented for review and approval.

**Motion by May, seconded by Rozak to approve the minutes of November 8, 2011, as presented.**

**ALL IN FAVOR**

**MOTION CARRIED (4-0)**

**Preliminary Plats and Planned Unit Developments (PUD)**

There were no preliminary plats or planned unit developments presented.

**Tabled Zoning Cases**

**6012-S, FPDWC**

Chairman Weigel asked Michael Smetana if he had any comments. He said he did not.

Chairman Weigel said this was brought up to the Operations Committee at the Forest Preserve and they made some minor changes but it didn't affect the permit that they are asking for so they want to go ahead with that.

**Motion by May, seconded by Rozak to recommend approval of a special use permit for floodplain development for Case 6012-S.**

**MOTION CARRIED (3-1). Board Member Konicki voted "no."**

**New Business (Zoning Cases)**

**6017-S, EJ&E Railway Company**

Eileen Franz presented a request for a special use permit by the railroad. There were two similar cases last year along this same rail corridor. It is just for floodplain development. We have no authority over the addition of the second track but that is the reason why they are requesting the special use permit for floodplain development.

There were no comments or questions.

No objectors were present.

**Motion by Rozak, seconded by May to recommend approval of a special use permit for floodplain development for Case 6017-S with one (1) condition:**

- (1) Applicant shall obtain a Site Development Permit and comply with the current Water Resource Ordinance for unincorporated Will County.**

**ALL IN FAVOR**

**MOTION CARRIED (4-0)**

**6022-SV, First Bank of Manhattan Trust No. 667/O'Donnell**

Michael Smetana presented a request for a special use permit for an automobile repair business in New Lenox Township on the east side of Cedar Road just south of Illinois Highway. Staff recommended approval with one (1) condition as did the Planning and Zoning Commission. The Village of New Lenox submitted correspondence to the Department at the end of November. They also approved the special use permit.

There were no comments or questions.

There were no objections.

**Motion by Rozak, seconded by May to recommend approval of a special use permit for an automobile repair business for Case 6022-SV with one (1) condition:**

- (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.

**ALL IN FAVOR**

**MOTION CARRIED (4-0)**

**6025-V2, Hickey**

Michael Smetana presented a request for a variance for maximum accessory structure size from 1,800 square feet to 4,340 square feet to bring a violation into compliance. The applicant built a pool enclosure on his property. Staff recommended denial of the variance. A unique circumstance or hardship related to the land was not displayed. However, the variance will not affect the surrounding area the property is on. It's on a private road in a heavily wooded area north of Route 30, east of Route 80 in New Lenox Township.

The applicant did submit a prescription from a physician stating that the pool does provide therapeutic benefits to the applicant for arthritis and on knee replacement surgery. The Planning and Zoning Commission approved the variance request.

Board Member Rozak asked staff if they would have changed their mind if they had this first.

Smetana said they would not. They look at variances, particularly for accessory structure size, is there a hardship inflicted due to the land, characteristic of the land; not a medical issue. If the variance were to be denied, the applicant could construct a breezeway that is enclosed connecting the structure to his house and it wouldn't be an issue. The structure would be considered part of the residence and would be permitted to remain on the property. Smetana said it is a unique situation with regard to that.

Board Member Rozak asked Smetana if he had talked to the applicant about constructing that breezeway.

Smetana said it has always been an option to him but it would be a pretty large breezeway. The garage is at least thirty feet from the house. It is an option available to him if this were to be denied but the accessory structure does not impact the surrounding area.

**Motion by Smith, seconded by Konicki to recommend approval of a variance for maximum accessory structure size from 1,800 square feet to 4,340 square feet for Case 6025-V2.**

**ALL IN FAVOR**

**MOTION CARRIED (5-0)**

**Other Business**

**Variance Extension – Case 5941-V**

Michael Smetana stated this concerns a variance that was approved by the Will County Board November 18, 2010. The variance is for maximum accessory structure size from 3,000 square feet to 38,703 square feet. The building is in Frankfort Township and is utilized for auctions for charities. Staff has no objection to extending the variance for 180 days. That is retroactive. The 180 days does count from November 18th. Smetana said you are allowed two extensions, each of 180 days. If they have not commenced work in 180 days, they can come back in and request one more extension of 180 days.

There were no objectors.

**Motion by Rozak, seconded by May to recommend approval of a 180 day extension of the Variance for Case 5941-V retroactive from November 18, 2011.**

**MOTION CARRIED (4-1). Board Member Konicki voted “no.”**

**North Providence Ridge Cemetery Landmark Nomination**

Amy Munro presented a landmark nomination for a cemetery located in Jackson Township for the Committee’s review. It was nominated by the cemetery’s president and secretary of their association. There were no objectors to this nomination when it was heard in November before the Commission. The cemetery met three of Will County’s twelve landmark criteria. It was nominated because of its local significance and for reasons related to its archeological significance.

The cemetery itself was established in 1883 although some of the stones located there predate that. Some of the early accounts date back to the 1830’s. There are approximately seven hundred and fifteen (715) burial sites. It is still an active cemetery. There’s another building located on the premises and the cemetery as a whole was nominated. The Historic Preservation Commission unanimously recommended landmark designation given the cemetery’s historic significance. That concluded Ms. Munro’s presentation.

Board Member Konicki said she is pleased to see townships getting more pro-active in identifying and protecting their historic sites. New Lenox has always been one of our leading townships in terms of that activity. She is pleased to see Jackson Township putting something forward and she is happy to support it.

**Motion by May, seconded by Konicki to recommend North Providence Ridge Cemetery be nominated as a Historic Landmark.**

**ALL IN FAVOR**

**MOTION CARRIED (5-0)**

**Reports, Communications, Correspondence**

Chairman Weigel had no reports.

David Dubois updated the committee regarding the Renewing Will County project, a product of the revised zoning ordinance. Module three has just been completed. The Ordinance Review Subcommittee held its third meeting. Staff has taken the comments received from both the committee and the public and have begun the process of what is called the Consolidated Public Review Draft. Those three modules will be incorporated into one document. Changes that were made that reflect comments that were made during the module phase will be reflected in that document with the traditional redline strikeouts so you will be able to see what changed from the initial draft to the public workshop draft. It will also be offset by footnotes, as well.

Dubois anticipates the public workshop draft will be released no later than Monday of this coming week. The public workshops will be January 18<sup>th</sup> and 19<sup>th</sup> (Wednesday and Thursday). There will be one workshop per day in the evening. Tentative arrangements have been made to have one of the meetings at the Forest Preserve Office on Laraway and the other meeting to be at the Frankfort Township Office off Route 30 and Wolf Road.

After the public workshop phase, comments will be taken. More changes will be made to the draft documents culminating in a public hearing draft that will be released in the springtime with public hearings. Additional public comments will be taken. The final changes will be made and hopefully, taken to the County Board in June or July. Dubois told the committee members to look for an email this week giving the time and location of the public workshops. Those documents will be posted online no later than Monday.

Curt Paddock stated the American Society for Public Administration is the oldest and most respected and most distinguished professional and scholarly association in the United States that is devoted to advancing the art of science and public administration. The Will County Land Use Department has been nominated and has been selected to receive the American Society for Public Administration's 2012 Public Integrity Award. This Public Integrity Award is granted to a public organization that in the judgment of that society has made the greatest contribution to advancing ethical performance amongst public jurisdictions in the United States. Mr. Paddock stated it is fundamentally a reflection of the hard work and commitment of the personnel of the Land Use Department to providing the public of Will County with the ethical performance that, of course, they must have and certainly deserve. It is also a reflection of the relationships we try to maintain with openness and transparency with the people that we serve whether that is the public at large, members of the Land Use Committee, with the County Board or other elected officials in our area. The quality of those relationships is in many ways what also contributed to our attainment of this particular recognition. In that sense, the Committee also received the award. Mr. Paddock wanted to make the Committee aware of this honor and distinction.

Chairman Weigel thanked Mr. Paddock.

Minutes  
Land Use & Development Committee  
December 13, 2011  
Page 6

Mr. Paddock said the award would be presented to the Department at that society's annual convention in March of next year.

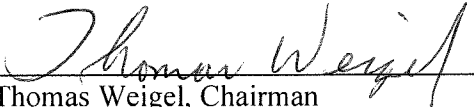
Chairman Weigel said they appreciate Land Use staff and that they do a great job for the committee.

**Adjournment**

**Motion by Konicki, seconded by Rozak to adjourn.  
ALL IN FAVOR**

**MOTION CARRIED (5-0)**

The meeting was adjourned at 9:55 a.m.

  
\_\_\_\_\_  
Thomas Weigel, Chairman  
Will County Land Use and Development Committee

