

PLANNING & ZONING COMMISSION
City Council Chambers
800 Game Farm Road, Yorkville, IL
Wednesday, June 13, 2018 7:00pm

Meeting Called to Order

Acting Chairman Reagan Goins called the meeting to order at 7:00pm, roll was called and a quorum was established.

Roll Call:

Don Marcum-yes, Bill Gockman-yes, Reagan Goins-yes, Deborah Horaz-yes

Absent: Jeff Olson, Richard Vinyard, Randy Harker

City Staff

Jason Engberg, Senior Planner

Lynn Dubajic, City Consultant

Other Guests

Christine Vitosh, Depo Court

James McNamara

Matt Asselmeier, Kendall County PZB

Mike Saar

Previous Meeting Minutes May 9, 2018

The minutes were approved as presented on a motion and second by Commissioners Marcum and Gockman, respectively. No discussion or questions.

Citizen's Comments None

Public Hearing

Commissioner Goins explained the procedure for the Hearing and swore in those who would present testimony. A motion was made and seconded by Ms. Horaz and Mr. Gockman, respectively, at approximately 7:02pm, to open the Public Hearing.

Roll call: Gockman-yes, Goins-yes, Horaz-yes, Marcum-yes Motion carried 4-0.

- 1. PZC2018-10 James McNamara, petitioner, has filed an application with the United City of Yorkville, Kendall County, Illinois, requesting an accessory structure location variance for 515 W. Madison Street. The purpose of this request is to allow a detached garage to be placed in the front yard. The real property, zoned R-2 Traditional Family Residence District, is located at the west end of West Madison Street.**

(see Court Reporter's Transcript)

The Hearing was closed at approximately 7:07pm on a motion by Mr. Marcum and second by Ms. Horaz.

Roll call: Gockman-yes, Goins-yes, Horaz-yes, Marcum-yes. Motion carried 4-0.

Unfinished Business None

New Business

1. **PZC 2018-10** James McNamara (see above description)

Action Item

Variance

There was no discussion and Ms. Goins reviewed the Findings of Fact with the Commission. Ms. Horaz and Mr. Marcum, respectively, moved and seconded to approve them and made a motion as follows: In consideration of testimony presented during a Public Hearing on June 13, 2018 and approval of the Findings of Fact, the Planning and Zoning Commission recommends approval of a request to vary the accessory structure location regulation contained in Section 10-3-12 of the United City of Yorkville Zoning Ordinance to permit a detached accessory garage located in the front yard of the subject property.

Roll call: Goins-yes, Horaz-yes, Marcum-yes. Gockman-yes. Carried 4-0.

2. **PZC 2018-11 Michael and Dayle Saar have filed an application with Kendall County requesting a rezone from A-1 Agricultural District to R-1 Residential District on 4.2 acres of unincorporated land to market the site for single family residential use. The real property is located along the south edge of Route 71 just south of the Timbercreek Drive and Route 71 intersection.**

Matt Asselmeier said Mr. Saar wishes to retain ownership of the northeast portion of the lot and market the rest of the property as a single site.

Action Item

Mile and One Half Review

The Commissioners had no issue with the request.

Additional Business

Mr. Engberg discussed the Downtown Form Based Code and Streetscape Plan public outreach event to be held during the Summer Solstice festival. They are seeking feedback from the public. Mr. Marcum commented that he saw A WSPY news feed regarding an idea to reduce the number of driving lanes to 3 in downtown Yorkville, to increase parking. However, Mr. Engberg said it will most likely be pulled from the plan due to some opposition.

Adjournment

There was no further business and the meeting was adjourned at 7:18pm on a motion by Commissioners Gockman and Marcum, respectively. Approved on voice vote.

Respectfully submitted by
Marlys Young, Minute Taker

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UNITED CITY OF YORKVILLE
YORKVILLE, ILLINOIS

PLANNING AND ZONING COMMISSION MEETING
PUBLIC HEARING

800 Game Farm Road
Yorkville, Illinois

Wednesday, June 13, 2018
7:00 p.m.

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PRESENT:

Ms. Reagan Flavin Goins, Chairman,
Ms. Deborah Horaz,
Mr. Bill Gockman,
Mr. Donald Marcum.

ALSO PRESENT:

Mr. Jason Engberg, Senior Planner,
Ms. Marlys Young, Minute Taker.

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1 (WHEREUPON, the following
2 proceedings were had in
3 public hearing:)

4 CHAIRMAN GOINS: There is one public
5 hearing scheduled for tonight's Planning and
6 Zoning Commission meeting. The purpose of this
7 hearing is to invite testimony from members of
8 the public regarding the proposed request that is
9 being considered before this commission tonight.

10 Public testimony from persons
11 present who wish to speak may be for or against
12 the request or to ask questions of the petitioner
13 regarding the request being heard.

14 Those persons wishing to testify are
15 asked to speak clearly, one at a time, and state
16 your name and who you represent, if anyone. You
17 are also asked to sign in at the podium.

18 If you plan to speak during
19 tonight's public hearing as a petitioner or as a
20 member of the public, please stand -- anybody
21 wishing to speak, please stand -- raise your
22 right hand, and repeat after me.

23 (Witness sworn.)

24 CHAIRMAN GOINS: The order for receiving

1 testimony will be as follows: First will be the
2 petitioner presentation; second, those who wish
3 to speak in favor of the request; third, those
4 who wish to speak in opposition of the request;
5 fourth, questions from the Planning and Zoning
6 Commissioners to the petitioner.

7 May I have a motion to open the
8 public hearing on Petition number PZC 2018-10?

9 MS. HORAZ: So moved.

10 MR. GOCKMAN: Second.

11 CHAIRMAN GOINS: Roll call vote on the
12 motion please.

13 MS. YOUNG: Gockman.

14 MR. GOCKMAN: Yes.

15 MS. YOUNG: Goins.

16 CHAIRMAN GOINS: Yes.

17 MS. YOUNG: Horaz.

18 MS. HORAZ: Yes.

19 MS. YOUNG: And Marcum.

20 MR. MARCUM: Yes.

21 CHAIRMAN GOINS: Moving on to the public
22 hearing, PZC 2018-10 --

23 MR. ENGBERG: Can we get someone to read
24 the agenda item, or you can do it?

1 CHAIRMAN GOINS: Public hearing PZC
2 2018-10, James McNamara, petitioner, has filed an
3 application with the United City of Yorkville,
4 Kendall County, Illinois, requesting an accessory
5 structure location variance for 515 West Madison
6 Street. The purpose of this request is to allow
7 a detached garage to be placed in the front
8 yard.

9 The real property is zoned R-2
10 Traditional Family Residence District and is
11 located at the west end of West Madison Street.

12 MR. ENGBERG: All right. And I put a
13 memo in here outlining everything. Mr. McNamara
14 is here, if you want to give us a rundown of what
15 you are requesting.

16 MR. McNAMARA: Sure. Do you want me
17 over here?

18 MR. ENGBERG: Sure.

19 MR. McNAMARA: I'm not much of a public
20 speaker, but there's not much public here.

21 My lot is a very unusual shape and
22 size. In order for me to look at putting a
23 garage in, it doesn't fall under the zoning that
24 I had hoped it would have done, so, hence, this

1 is why I'm here today.

2 I think you have copies of where I'm
3 going to put it, and the main issue is everything
4 behind me is unaccessible, so my back yard is --
5 I don't have a driveway that goes to it, and my
6 side yard, it falls off into a valley or a
7 ravine, whichever you'd like to call it, so the
8 only feasible place to put the garage is where
9 I've stated.

10 There is ten houses immediately on
11 West Madison; nine of them have two-car garages,
12 both detached, attached, some of them slightly
13 forward of the house line, some of them -- you
14 know, it's very individual on our street.

15 I understand that the zoning is --
16 if I was in a subdivision and I wanted to put a
17 two-car garage at the front of my house, it would
18 look unusual, but I don't think it does in any
19 way, shape or form. If anything, it ties into my
20 closest neighbor where her garage is, so, yeah.

21 MR. ENGBERG: And, additionally, I added
22 some of the pictures Mr. McNamara gave me of the
23 location. He needs the garage because there is a
24 giant walnut tree sprinkling down walnuts all

1 over the driveway, so he's kind of got a
2 makeshift tent thing.

3 That's kind of where the garage
4 would go, and then the rest of the details on the
5 shape of the lot and how it's sized and why the
6 yards work out the way they do are in the memo to
7 kind of clarify. It's a very unusual way the
8 building is on the lot, as he stated.

9 CHAIRMAN GOINS: Thank you.

10 MR. ENGBERG: All right.

11 MR. McNAMARA: All right. Thank you.

12 CHAIRMAN GOINS: Is there anyone present
13 who wishes to speak in favor of the request of
14 the petition of Mr. McNamara?

15 (No response.)

16 CHAIRMAN GOINS: Seeing as there is no
17 one, anyone who wishes to speak in opposition of
18 the request?

19 (No response.)

20 CHAIRMAN GOINS: There is no one.

21 MR. ENGBERG: You guys can ask
22 questions.

23 CHAIRMAN GOINS: Do any members have
24 questions of Mr. McNamara?

1 MR. MARCUM: No.

2 MR. GOCKMAN: No.

3 MS. HORAZ: I do not.

4 CHAIRMAN GOINS: Okay. No questions for
5 you.

6 MR. ENGBERG: And any questions for me,
7 the memo, anything like that? It is pretty
8 clear; Staff is supporting the variance because
9 of the natural hardship that was brought by the
10 shape of the land.

11 MS. HORAZ: I drove by it, I can see
12 your situation.

13 CHAIRMAN GOINS: Since all public
14 testimony regarding this petition has been taken,
15 may I have a motion to close the taking of
16 testimony in this public hearing?

17 MR. GOCKMAN: So moved.

18 MS. HORAZ: Second.

19 CHAIRMAN GOINS: Roll call vote on the
20 motion, please.

21 MS. YOUNG: Gockman.

22 MR. GOCKMAN: Yes.

23 MS. YOUNG: Goins.

24 CHAIRMAN GOINS: Yes.

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MS. YOUNG: Horaz.

MS. HORAZ: Yes.

MS. YOUNG: Marcum.

MR. MARCUM: Yes.

(Which were all the
proceedings had in the
public hearing portion
of the meeting.)

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1 STATE OF ILLINOIS)
) SS.
2 COUNTY OF LASALLE)

3 I, Christine M. Vitosh, a Certified Shorthand
4 Reporter, do hereby certify that I transcribed
5 the proceedings had at the public hearing and
6 that the foregoing, Pages 1 through 10,
7 inclusive, is a true, correct and complete
8 computer-generated transcript of the proceedings
9 had at the time and place aforesaid.

10 I further certify that my certificate annexed
11 hereto applies to the original transcript and
12 copies thereof, signed and certified under my
13 hand only. I assume no responsibility for the
14 accuracy of any reproduced copies not made under
15 my control or direction.

16 As certification thereof, I have hereunto set
17 my hand this 28th day of June, A.D., 2018.

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Christine M. Vitosh, CSR
Illinois CSR No. 084-002883

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