

PLANNING AND ZONING COMMISSION MEETING

VILLAGE OF HOFFMAN ESTATES
COUNCIL CHAMBERS
1900 HASSELL ROAD
HOFFMAN ESTATES, IL 60169

MINUTES - MARCH 20, 2019

1. CALL TO ORDER: 7:01 P.M.

Members Present

Chairperson Combs	Myrene Iozzo
Vice Chairman Ring	Minerva Milford
Adam Bauske	Sohita Patel
Lon Harner	Nancy Trieb

Members Absent

Tom Burnitz, Denise Wilson (Excused); Lenard Henderson (Unexcused).

A quorum was present.

Administrative Personnel Present:

Peter Gugliotta, Director of Planning, Building and Code Enforcement; Mo Khan, Associate Planner; Parth Joshi, Development Services Technician.

2. APPROVAL OF MINUTES:

Commissioner Milford moved, seconded by Commissioner Harner, to approve the February 6, 2019, meeting minutes. Voice Vote: 6 Ayes, 2 Abstain (Iozzo, Vice Chairman Ring), 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.

3. CHAIRMAN'S REPORT

Chairperson Combs stated the variation for construction of a fence at 340 Navajo Lane; variation for construction of a patio within the required corner side yard at 805 Heather Lane; preliminary and final plat of subdivision and preliminary concept site plan for Cabela's at 5225 Prairie Stone Parkway; and preliminary and final plat of subdivision, preliminary and final site plan, and a Master Sign Plan amendment for Buona Beef at 2352 Higgins Road were approved unanimously by the Village Board.

4. OLD BUSINESS - PUBLIC HEARING - APPROVAL OF A REQUEST BY WUEBKER FITNESS HOFFMAN ESTATES, INC. (APPLICANT) FOR A SPECIAL USE PERMIT TO OPERATE A HEALTH AND FITNESS CLUB FOR THE PROPERTY LOCATED AT 2567 W. GOLF ROAD. (TO BE CONTINUED TO APRIL 17, MEETING).

Vice Chairman Ring moved, seconded by Commissioner Harner, to continue the above hearing to April 17, 2019. Voice Vote: 8 Ayes, 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.

5. NEW BUSINESS - PUBLIC HEARING - APPROVAL OF A REQUEST BY THE VILLAGE OF HOFFMAN ESTATES TO CONSIDER TEXT AMENDMENTS TO SECTION 9-3-3-C OF THE MUNICIPAL CODE (ZONING CODE).

Vice Chairman Ring moved, seconded by Commissioner Harner, to open the above hearing. Voice Vote: 8 Ayes, 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.

Parth Joshi presented an overview of the staff report.

Commissioner Milford asked whether vegetation would not be allowed in the new proposed "sight triangle". Mr. Joshi stated no vegetation would be allowed to grow within the sight triangle.

Commissioner Bauske had no questions.

Commissioner Iozzo asked about invisible fences for dogs. Mr. Joshi stated invisible fences are not covered by the Zoning Code. Mr. Gugliotta stated invisible fences do not fall into the regulations of the fence code. The fence code relates to a physical barrier above the ground.

Commissioner Trieb asked why there is a discrepancy between the height and width of patio privacy fences and decorative fences. Mr. Joshi stated if a homeowner wants to put up a decorative fence in the front yard, the fence can only be 8 feet in width and 80% open and a permit is not required. Patio privacy fences are permitted around the patio in the rear yard which can be 6 foot in height and a maximum of 40 foot in linear length.

Commissioner Trieb asked what is the difference between a privacy fence and a decorative fence. Mr. Joshi stated a decorative fence could be anything, such as around plants. A privacy fence is basically a board-on-board style where you cannot see through the fence.

Commissioner Harner asked if a neighbor installs a privacy fence, can the neighbor next door not put vegetation near their driveway. Mr. Joshi stated yes. Mr. Gugliotta stated staff would only review the fence permit for the neighbor and will not be looking at anyone's vegetation. Commissioner Harner said the staff report says otherwise. Mr. Gugliotta stated in the staff report, a sight triangle was described and how it functions. A sight triangle is identifying an area which can be measured and you cannot put anything in there that will block the view of someone backing out of their driveway.

Mr. Joshi explained what the code allows now versus what is proposed.

Commissioner Milford asked to clarify what exactly is a corner lot. Mr. Joshi stated anyone who has a driveway abutting their rear yard is considered a corner lot and the proposed change will only affect those corner lots..

Commissioner Patel had no questions.

Vice Chairman Ring had no questions.

Chairperson Combs stated the Village allows recreational vehicles to park on a driveway that totally obstructs the view of the traffic. Why is this allowed. Mr. Gugliotta stated if there is a 2-car driveway and cars are parked on it, you cannot always see around the other car. The Village does not prohibit residents from parking their personal and recreational vehicles in their driveway. There is no overhang onto the sidewalk. Chairperson Combs stated that cars allow some visual sight lines while recreational vehicles do not. Mr. Gugliotta stated that part of the code was not examined in this text amendment because it is not governed by the Zoning Code.

Chairperson Combs stated she has concerns with the changes in the fencing to allow a solid 6 foot fence and the maintenance of these fences. In her opinion, these fences decrease the value of the neighbor's house. Chairman Combs is against changing the height of the fence to 6 feet and the location of the fence. A 4 foot, open design fence is okay.

Vice Chairman Ring suggested a revision to reflect a compromise where the Village is giving the resident more side yard by increasing the setback from 1 foot to 5 feet, thereby creating a better sight line, and the 15 foot sight triangle may or may not come into play very often. Mr. Gugliotta stated that is entirely up the Planning & Zoning Commission.

Commissioner Patel is in favor of the compromise.

Commissioner Harner is in favor of the compromise.

Commissioner Trieb is in favor of the compromise.

Commissioner Milford is in favor of the compromise.

Commissioner Bauske is in favor of the compromise and suggests keeping the sight triangle component.

Commissioner Iozzo is in favor of the compromise.

Mr. Gugliotta stated in the staff report at the top of page 3, C.2.b. could read: "Fences on lots where the rear yard is adjacent to a driveway located on adjacent property may install a fence provided the fence shall be located a minimum of five feet from the corner side lot line and shall not encroach into the sight triangle..."

Vice Chairman Ring moved, seconded by Commissioner Harner, to close the above hearing. Voice Vote: 8 Ayes, 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.

MOTION: Vice Chairman Ring moved (seconded by Commissioner Harner) to approve a request by the Village of Hoffman Estates for Text Amendments to Section 9-3-3-C of the Zoning Code regarding the regulations of permitted fences on corner lots, as modified in the Planning & Zoning Commission meeting of March 20, 2019, to reflect the new setback dimension of 5 foot versus the 1 foot as indicated.

Roll Call Vote:

Aye: Bauske, Harner, Iozzo, Milford, Patel, Trieb, Vice Chairman Ring, Chairperson Combs

Nay: None

Absent: Burnitz, Henderson, Wilson

Motion Carried.

Mr. Joshi stated that this will go to the Village Board meeting on April 1, 2019.

5. NEW BUSINESS - PUBLIC HEARING - REQUEST BY THE VILLAGE OF HOFFMAN ESTATES TO CONSIDER TEXT AMENDMENTS TO SECTION 9-2-1 AND CHAPTER 9 OF THE MUNICIPAL CODE (ZONING CODE).

Vice Chairman Ring moved, seconded by Commissioner Harner, to open the above hearing. Voice Vote: 8 Ayes, 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.

Mo Khan presented an overview of the staff report.

Chairperson Combs asked if the Village allows Airbnbs. Mr. Gugliotta stated no, but there are strict regulations for home based occupancy businesses and short term rentals could be governed by that.

Vice Chairman Ring moved, seconded by Commissioner Harner, to continue the request by the Village of Hoffman Estates for Text Amendments to Section 9-2-1 (Definitions) of the Zoning Code regarding definitions for uses and to Chapter 9 (Zoning Code) of the Municipal Code of Hoffman Estates regarding permitted and special uses in each zoning district to the April 3, 2019 meeting. Voice Vote: 8 Ayes, 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.


6. STAFF REPORT

Mr. Gugliotta stated the Commission should be receiving a contact from Cook County regarding the 2019 Statement of Economic Interest. Mr. Gugliotta stated it is due by May 1, and forward a copy to the Village Clerk, Bev Romanoff. Mr. Khan stated the next meeting is on April 3.

7. MOTION TO ADJOURN

Vice Chairman Ring moved, seconded by Commissioner Harner, to adjourn the meeting at 8:34 p.m. Voice Vote: 8 Ayes, 3 Absent (Burnitz, Henderson, Wilson). Motion Carried.

Minutes prepared by Kathy Redelmann, Development Services Administrative Assistant.



Chairperson's Approval
VICE CHAIRMAN
GREG RING

4-3-19
Date Approved