



MINUTES
REGULAR MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
NOVEMBER 12, 2009 – 6:30 P.M. -FRANKFORT POLICE STATION
20602 LINCOLN WAY LANE (LOWER LEVEL)

Call to Order

Chair Renae Goldie called the meeting to order at 6:30 P.M.

A. Roll Call

Commissioners Present: Dave Schumpp, Ken Chemers, Jim Matlock, Renae Goldie, John Newton, Bob Beeson and Don Schwarz

Commissioners Absent: None

Staff Present: Senior Planner Zach Brown and Planning Tech, Tony Minette

Elected Officials Present: Liaison to the Village Board, Trustee Mike Stevens

B. Approval of Minutes from October 22, 2009

Motion (#1) to approve by: Chemers Seconded by: Schwarz

Approved (5 to 0)

Abstain (2)

C. Public Hearings

Smith Variance

Applicant: Glenn and Lori Smith

Location: 21605 Williamsburg Ct.

Request: Front yard setback variance from 30ø to 20ø to permit the construction of a single-family residence on the property located at 21605 Williamsburg Court within the Yankee Ridge Subdivision.

Legal notice published in the Frankfort Station on October 29, 2009.

Chair Goldie swore in all those wishing to provide testimony. Certified receipts for the registered letter were entered into the record.

Senior planner Zach Brown presented the staff report and provided an overview of the request.

No additional public testimony was offered.

Motion (#2): Close the public Hearing

Motion by: Schumpp Seconded by: Newton

Approved (7 to 0)

During the Plan Commission discussion:

- Andrew Wright, president of the Yankee Ridge Homeowners Association presented a letter of approval for both the site plan and architectural elevations.
- Commissioners questioned the proximity of the home to the existing pond and expressed flooding concerns. Staff noted that the proposed home is located outside the storm water management easement and construction is subject to village engineering approval.
- Mr. Brown presented e-mail correspondence from the property owner to the north expressing support of the proposed variance request.

The Commission accepted and made the following Findings of Fact:

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;

The required 30ø setback limits the usefulness of a rear yard due to the sloping grade and pond. All other lots located on the same pond have 60ø or greater in the rear yard while the subject lot measures approximately 100ø from the property line to the edge of the pond, which must accommodate the front yard setback, a home, and a rear yard.

2. That the plight of the owner is due to a unique circumstances; and

Approximately 22,000 sq. ft (54%) of the lot is encumbered by a storm water detention pond and the property is an irregular shape.

3. That the variation, if granted, will not alter the essential character of the locality.

The proposed home to be constructed is at a similar size and character to those in the area. The front yard setback varies between 20ø and 30ø due to the irregular lot shape.

Motion (#3): Approve a front yard setback variance from 30ø to 20ø to permit the construction of a single-family home on the property located at 21605 Williamsburg Ct., in accordance with the reviewed plans.

Motion by: Schwarz Seconded by: Chemers
Approved (7 to 0)

Viehweg Variance

Applicant: Tri-Star Siding & Windows

Location: 788 Oakwood Dr.

Request: Building materials variance to permit the installation of vinyl siding on the home located at 788 Oakwood Drive.

Legal notice published in the Frankfort Station on October 29, 2009.

Planning Tech Tony Minette presented the staff report and provided an overview of the request.

The applicant was present however nothing further to add. No additional public testimony was provided.

Motion (#4): Close the public Hearing

Motion by: Schwarz Seconded by: Newton

Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners questioned if the new siding would be insulated. The applicant informed that an insulation and moisture barrier would be provided.
- Members acknowledged that a variety of building materials are present in the area including vinyl siding.

The Commission accepted and made the following Findings of Fact:

Building Materials Variance (vinyl siding)

1. That the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in that zone;

The existing home does not meet the materials requirement of the ordinance as the reverse board and batten (plywood) is a prohibited exterior building material.

2. That the plight of the owner is due to unique circumstances;

The property is subject to building regulations designed to address new development and a variety of exterior materials are used within this particular neighborhood.

3. That the variation, if granted, will not alter the essential character of the locality.

Many homes in the area do not meet building materials requirements as they were constructed prior to adoption of the current zoning ordinance.

Motion (#5): Approve a building materials variance to permit the installation of vinyl siding on the property located at 788 Oakwood Dr., in accordance with the reviewed plans.

Motion by: Matlock Seconded by: Schwarz
Approved (7 to 0)

Chipotle Mexican Grill Special Use

Applicant: Chipotle Mexican Grill

Location: 11129 W. Lincoln Highway

Request: Special use permits for a carryout restaurant and outdoor seating to operate Chipotle Mexican Grill located 11129 West Lincoln Highway within the Prairie Crossings Shopping Center.

Legal notice published in the Frankfort Station on October 29, 2009.

Chair Goldie swore in all those wishing to provide testimony. Certified receipts for the registered letter were entered into the record.

Senior planner Zach Brown presented the staff report and provided an overview of the request.

John Buerg from Wilkens Architects was present however nothing further to add. No additional public testimony was provided.

Motion (#6): Close the public Hearing

Motion by: Schumpp Seconded by: Newton

Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners requested clarification as to which landscape material was proposed for removal and noted that the proposed 3ø planting bed was appropriate.
- Members noted that the proposed restaurant would be a nice fit with the surrounding uses.

Motion (#7): Approve a special use for a carryout restaurant for the property located at 11129 W. Lincoln Highway in accordance with the reviewed plans.

Motion by: Newton Seconded by: Matlock
Approved (7 to 0)

Motion (#8): Approve a special use for outdoor seating for the property located at 11129 W. Lincoln Highway in accordance with the reviewed plans.

Motion by: Schwarz Seconded by: Schumpp
Approved (7 to 0)

Town Center Bank Special Use Amendment

Applicant: Town Center Bank

Location: 20181 St. Francis Rd. (Hickory Creek Outlot 2C)

Request: Approval to amend special use ordinance #2420 to permit Construction of an ATM within the existing drive-up facility located at 20181 LaGrange Road within the Hickory Creek Market Place Shopping Center.

Legal notice published in the Frankfort Station on October 29, 2009.

Chair Goldie swore in all those wishing to provide testimony. Certified receipts for the registered letters were entered into the record.

Senior planner Zach Brown presented the staff report and provided an overview of the request.

Bob Taylor from Town Center Bank was present however had nothing further to add. No additional public testimony was provided.

Motion (#9): Close the public Hearing

Motion by: Schwarz Seconded by: Chemers
Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners expressed their preference for the proposed ATM location over its previously proposed location within the landscape island.
- Member Newton questioned if both the drive-up service window and ATM could be utilized concurrently. Staff affirmed that concurrent use is possible.

Motion (#10): Approve the modification of ordinance #2420 to permit the installation of an ATM on outlot 2C within the Hickory Creek Market Place in accordance with the reviewed plans and conditioned upon removal of the ATM upon termination of Town Center Bank's lease.

Motion by: Schwarz Seconded by: Beeson
Approved (7 to 0)

Zoning Ordinance Text Amendment

Request: To consider a text amendment to the Village of Frankfort Zoning Ordinance, Article 5, Section D, Part 6 concerning fence regulations in residential zoning districts.

Legal notice published in the Frankfort Station on October 29, 2009.

Chair Goldie swore in all those wishing to provide testimony.

Senior planner Zach Brown presented the staff report and provided an overview of the text amendment.

There was no further testimony.

Motion (#11): Close the public Hearing
Motion by: Matlock Seconded by: Newton
Approved (7 to 0)

During the Plan Commission discussion:

- Commissioners questioned if the increased fence heights should be permitted in industrial districts as well as noting several industrial properties along the tracks. Staff noted that the existing ordinance permits increased fence heights.

Motion (#12): Approve a text amendment to the Village of Frankfort Zoning Ordinance, Article 5, Section D, Part 6 in accordance with the reviewed text as presented.

Motion by: Chemers Seconded by: Beeson
Approved (7 to 0)

D. Other Business

Commissioners discussed removing time approximations from the agenda and were in agreement that they are not necessary.

Commissioner Schwarz extended his thanks and appreciation to staff and chair Goldie for all their hard work over the last year.

E. Adjournment ó 7:15 pm

Motion (#13) to Adjourn

Motion by: Matlock Seconded by: Schumpp

Approved (7 to 0)

APPROVED December 10, 2009

As Presented X

As Amended

/s/ Renae Goldie, Chair

/s/ Tony Minette, Secretary