

VILLAGE OF HINCKLEY
PUBLIC HEARING & PLANNING COMMISSION MEETING MINUTES
October 24, 2016

CALL TO ORDER: The Public Hearing was called to order by Chairman Russ Kula at 7:00 PM.

Present: Chairman Russ Kula, Commissioners Gerald Bahl, Missi Lewis and Jason DeBernardi. Quorum Established.

Absent: None.

Also Present: Trustee Mike Constant, Village Clerk Elizabeth Losiniecki, Village Attorney Kirsten Casas, Petitioner Olson and members of the public.

PLEDGE OF ALLEGIANCE: The pledge to the flag was recited.

Chairman Kula gave an overview of the petition.

PUBLIC HEARING AGENDA ITEM: Zoning variance for property located at 530 Rees St., Hinckley, IL, 60520, PIN 15-14-20-2004, Zoned R-1A. Petitioner is requesting that variance be granted to allow for a shed to be placed that exceeds the zoning ordinance. The application was submitted by Gary Olson, 530 Rees Street, Hinckley, Illinois. Mr. Olson explained that he would like to put a 12'x16' shed in the back yard. The current ordinance allows for a maximum 12'x12' shed.

Mr. Olson stated that he had spoken to neighbors, including George Bauman (owns farm directly to the east of the property) and none have any issues with the shed. Commissioner Bahl asked why the shed will be oriented north/south as opposed to east/west. Commissioner Bahl felt that the east/west direction would provide easier access. Commission Lewis stated that she is a neighbor and she has no problem with the shed.

CLOSE PUBLIC HEARING: The Public Hearing closed at 7:10 PM.

OPEN PLANNING COMMISSION MEETING: The Planning Commission Meeting was called to order by Chairman Russ Kula at 7:11 PM.

Present: Chairman Russ Kula, Commissioners Missi Lewis, Gerald Bahl and Jason DeBernardi. Quorum Established.

Absent: None.

Also Present: Trustee Mike Constant, Village Clerk Elizabeth Losiniecki, Village Attorney Kirsten Casas, Petitioner Olson, and members of the public.

COMMENTS FROM PERSONS PRESENT:

Chairman Kula stated that he had no issue with the shed size and requested that Mr. Olson be sure that it is not situation over utility lines.

Commissioner Bahl stated that the shed needed to be 10' off property lines and easements.

Trustee Diedrich (attending as a neighbor) stated that he had no comment and that he knows that the petitioner has talked to the neighbors.

Commissioners Lewis and DeBernardi had no objections.

AGENDA ITEM: ZONING ISSUE 530 Rees Street

Commissioner Bahl moved to recommend that the Board approve the shed size variance request to petitioner Olson at 530 Rees Street, Hinckley, IL, 60520, PIN 15-14-20-2004, zoned R-1A. Commissioner DeBernardi seconded. Roll call vote: Lewis-Aye, Kula-Aye, DeBernardi-Aye, Bahl-Aye. Motion carried.

AGENDA ITEM: Previous Meeting Minutes: Presentation and Vote

Commissioner Lewis moved to approve the previous meeting minutes from 06/01/16 and Commissioner DeBernardi seconded. Roll Call Vote: Lewis-Aye, Bahl-Aye, Kula-Aye, DeBernardi-Aye. Motion carried.

OLD BUSINESS

None.

NEW BUSINESS:

AGENDA ITEM FOR DISCUSSION: Sign Ordinance

Attorney Casas indicated that she is working with the Village of Montgomery on a sign ordinance and that, perhaps, Hinckley could model their ordinance after Montgomery's. She stated that the draft (from Montgomery) should be available by the end of the year. Further discussion followed regarding Supreme Court timeframes and anticipated impact on Hinckley (none). Trustee Constant suggested that Chairman Kula keep in touch with Attorney Casas to monitor the progress of the Montgomery ordinance.

AGENDA ITEM FOR DISCUSSION: TIF Districts

Village Clerk Losiniecki gave a brief overview of the Mayor's request to have the Planning Commission investigate the potential for a TIF district in Hinckley. Discussion followed regarding other towns in the area that had/have TIF districts, including Yorkville, Maple Park and Waterman. The cost of setting up and maintaining a TIF district were also discussed. Chairman Kula stated that he'd like to continue the discussion at future meetings when more information was available. Commissioner Bahl suggested tabling the discussion. All agreed.

At this point, Attorney Casas distributed a hand out to Commissioners regarding "Variance Findings of Fact" and indicated that the terms must be satisfied prior to a vote to recommend. After discussion it was agreed that the Planning Commission would stand by the following in regard to the "Variance Findings of Fact":

10/24/16 Planning Commission Variance Findings of Fact

Findings of Fact:

1. The subject property cannot yield a reasonable return if subject to the current requirements.
-Does not apply
2. The plight of the owner is due to unique circumstances (there is something specifically unique about the property that differentiates it from other properties and this difference was not caused by the owner)
-Farm field to the East. Property large enough to support shed size and alleviates the Oak Knoll

problem

3. If the variation is granted, it will not alter the essential character of the property

-No neighbors disagree

Additional Factors to Consider:

4. Variance is in harmony with the general purpose and intent of the ordinance.

-Yes

5. Strict enforcement would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on properties in the same zoning district.

-Yes, move shed off Oak Knoll

6. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property.

-Yes

PLANNING COMMISSIONER COMMENTS, PROJECT UPDATES AND OTHER INFORMATION

Discussion followed regarding potential for a review of the Royal Estates development agreement.

Next Planning Commission meeting scheduled for 11/28/16, at 7:00pm.

PUBLIC COMMENT: N/A

ADJOURNMENT

Motion: Commissioner DeBernardi moved to adjourn the meeting at 8:50 PM. Commissioner Bahl seconded the motion. Voice Vote: All members voted yes. Motion carried.

Russ Kula, Chairman

Elizabeth Losiniecki, Village Clerk