

Commissioner Scarpelli called the Planning and Zoning & Historic Commission meeting to order at 7:00 p.m.

Roll: 5 Present (Holliman, Scarpelli, Schock, Bernstein and Steneck). 4 Absent (Brewer, Apke, Muscat and Meyer). Also present were Assistant Village Administrator Brad Mitchell, Village Building Inspector Chris Ranieri, Village Engineer Joe Heinz and Village Clerk Katherine Diehl.

APPOINT AN ACTING CHAIRMAN:

Motion to appoint Commissioner Scarpelli as Acting Chairman by Holliman/Steneck.

5 Ayes (Holliman, Scarpelli, Schock, Bernstein and Steneck). 0 Nays. 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Carries

APPROVAL OF MINUTES:

1. Planning and Zoning & Historic Commission Meeting Minutes dated November 5, 2020

Motion to approve the November 5, 2020 meeting minutes by Steneck/Holliman.

5 Ayes (Holliman, Scarpelli, Schock, Bernstein and Steneck). 0 Nays. 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Carries.

PUBLIC COMMENT: None

HISTORIC COMMISSION:

1. Certificate of Appropriateness for Signage: Five Points Jiu Jitsu – 104 N. River Street

- a. Discussion and Motion to Recommend Approval/Denial of a Certificate of Appropriateness for Signage at 104 N. River Street

Maria Gonzalez is requesting temporary window banners for Five Points Jiu Jitsu. Gonzalez has indicated that these banners are temporary until permanent ones are decided. The banners are vinyl, black and white, and each measure 36" x 60". The banners are installed using double-sided tape. The Commission discussed and agreed upon the condition that the window banners can be up for up to 6 months due to the uncertainty of any potential setbacks by COVID-19. Gonzalez indicated her intention to come back to the Commission with a permanent signage plan request.

Motion to Approve the Certificate of appropriateness for Temporary Signage up to a period of 6 months at 104 N. River Street by Holliman/Bernstein.

4 Ayes (Holliman, Scarpelli, Bernstein and Steneck). 1 Nays (Schock) 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Carries.

NEW BUSINESS

1. PUBLIC HEARING (PIN: 03-25-126-006) – to consider a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths

Motion to open the public hearing by Holliman/Bernstein.

Village of East Dundee
Kane County, IL
Planning and Zoning & Historic Commission
December 3, 2020

5 Ayes (Holliman, Scarpelli, Schock, Bernstein and Steneck). 0 Nays. 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Carries.

Assistant Administrator Mitchell advised that the Village received an application from Joseph Palumbo, owner of Terra Business Park / Pal Land LLC for variances to the development at 250 Patricia Lane. He explained that the shell of the building has already been constructed and only includes one loading berth to fulfill their operation needs. Village code requires two berths due to the size of the building. Mitchell stated that Village staff is supportive of the request as it is the opinion that the petitioner is better able to determine the number of loading berths needed at the facility to adequately serve the facility. Engineer Heinz stated that he agrees with this opinion and that this building has overhead doors that swing outward to allow for internal loading. Commissioner Scarpelli voiced a concern that if this variance is granted, it may set a precedence for other owners with similar buildings. Heinz noted that the variance was always needed and was included in the Village's initial review letter. However, the owner elected to move forward with the possibility of not obtaining a variance during the construction of the building. He stated this same variance was granted for the owner's other identical building. Commissioner Schock stated that it was wrong for the Village to have issued a permit without a variance approval. He said a mistake was made and now needs to be corrected. Commissioner Steneck agreed with this. He said it sets a bad precedence when something is built disregarding the code. Commissioner Holliman stated that the owner should not be forced to add a berth if there is no need for it and this is why there is the option to request a variance.

Jeff Newing, representative for Pal Land LLC, stated that he understands the argument given. He believes the petitioners understanding was that this variance is identical to the other one requested and granted a couple of years ago. The square footage is just over the limitations in the ordinance. He said it was anticipated that this would not be a big concern.

Motion to close the public hearing by Schock/Holliman.

5 Ayes (Holliman, Scarpelli, Schock, Bernstein and Steneck). 0 Nays. 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Carries.

Motion to recommend denial of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths by Schock/Steneck.

2 Ayes (Schock and Steneck). 3 Nays (Holliman, Scarpelli and Bernstein). 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Fails.

Motion to recommend approval of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths by Holliman/Bernstein.

3 Ayes (Holliman, Scarpelli and Bernstein). 2 Nays (Schock and Steneck). 4 Absent (Brewer, Apke, Muscat and Meyer). While the vote was valid with quorum, per the Village Code, a concurring vote of the majority of those members present at the meeting with a minimum of four concurring votes is required to recommend granting or denying the variance. Therefore, this variance request will go before the Village Board at the next meeting with no recommendation to approve or deny the requested variance.

Motion to approve a Findings of Fact to recommend approval of a request for a variance from Section 157.127(B) of the Zoning Chapter of the East Dundee Village Code requiring loading berths by Holliman/Bernstein.

4 Ayes (Holliman, Scarpelli, Bernstein and Steneck). 1 Nay (Schock). 4 Absent (Brewer, Apke, Muscat and Meyer). Motion Carries.

Village of East Dundee
Kane County, IL
Planning and Zoning & Historic Commission
December 3, 2020

OTHER BUSINESS: None

*Motion to adjourn the Planning and Zoning & Historic Commission Meeting at 7:48 p.m. by
Steneck/Holliman.*

*5 Ayes (Holliman, Scarpelli, Schock, Bernstein and Steneck). 0 Nays. 4 Absent (Brewer, Apke, Muscat
and Meyer). Motion Carries.*