

APPROVED MINUTES
VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
MUNICIPAL BUILDING: 874 MAIN STREET, ANTIOCH, ILLINOIS
December 14, 2006

CALL TO ORDER

The Antioch Planning and Zoning Board meeting was called to order by Chairman Burdick at 7:30 p.m. in the Municipal Building, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL

Roll call indicated the following members were present: Ipsen, Cole, Kaiser, Ralston and Karasek. Also present were Chairman Burdick and Deputy Clerk Folbrick.

MINUTES

Member Cole moved, seconded by Member Ipsen, to approve the minutes from the October 12, 2006 meeting as presented. Upon roll call, the vote was:

YES: 5: Ipsen, Cole, Kaiser, Ralston, Karasek.

NO: 0.

ABSENT: 1: Keller.

THE MOTION CARRIED.

Member Ipsen moved, seconded by Member Kaiser, to approve the minutes from the November 9, 2006 meeting as corrected. Upon roll call, the vote was:

YES: 5: Ipsen, Cole, Kaiser, Ralston, Karasek.

NO: 0.

ABSENT: 1: Keller.

THE MOTION CARRIED.

ANNOUNCEMENTS AND CORRESPONDENCE

Chairman Burdick offered condolences to Member Cole and her family for the loss of her nephew Jack Valentine. Mr. Valentine was serving overseas at the time of his passing.

Member Keller arrived at 7:36 p.m.

OLD BUSINESS

PZB 06-16; Clublands of Antioch Phase 4 final subdivision plat approval. Preliminary Plat Approval case number (PZB 02-11).

Mr. Frank Dobbs presented the final plat to the Board.

Director Nilsen said that the final engineering has been approved subject to conditions stated in the memo dated November 3, 2006 from Smith Engineering Consultants. He stated that the final plat is in conformance with the preliminary plat. Director Nilsen said that staff recommends approval of PZB 06-16.

Member Cole moved, seconded by Member Ipsen, to approve PZB 06-16; Clublands of Antioch Phase 4 final subdivision plat approval; Preliminary plat approval case number PZB 02-11, to include Director Nilsen's comments in his memo dated December 8, 2006 and Smith Engineering Consultants memo dated November 3, 2006. Upon roll call, the vote was:

YES: 6: Ipsen, Cole, Kaiser, Ralston, Keller, Karasek.

NO: 0.

ABSENT: 0:

THE MOTION CARRIED AND WILL BE PRESENTED TO THE VILLAGE BOARD OF TRUSTEES.

APPROVED MINUTES

NEW BUSINESS

PZB-06-15; A request for a rear yard variation; 629 Asbury Court; PIN 07-401-102.

Deputy Clerk Folbrick read aloud the public hearing and administered the oath to those who wished to offer testimony.

Mr. Tom Straka and Mr. Paul Straka presented their request for a variation to the Board. Mr. Paul Straka explained that the addition would be located at the rear of the home. He stated that the location of the home is on a dead end street abutting a preserved area. Chairman Burdick asked if there were any questions on lot size for the purposes of developing when the property was purchased. Mr. Tom Straka replied that he did not consider enlarging the home until he had entertained a number of times.

Member Ipsen asked how many square feet the domicile currently has. Mr. Tom Straka replied that it is currently 2,800 square feet and would increase to 3,400 square feet with the addition. Member Ipsen asked what was beyond the rear lot line of the home. Mr. Paul Straka replied that there is an easement beyond the lot line owned by the Village and trees past the easement. Director Nilsen explained that there is a utility easement in the rear yard. Member Ipsen stated that the purpose of the codes is to protect neighboring properties. Member Ralston stated that it is all wooded beyond the rear property line of the home. Member Ipsen asked how far the creek is from the property. Mr. Straka estimated the distance at 100 yards. Member Ipsen asked Mr. Straka if he was in a flood plain. Mr. Straka replied that he is not. Member Ipsen asked why Mr. Straka wanted this addition. Mr. Straka replied that he would like the addition in order to entertain family. Member Ipsen asked how long Mr. Straka has owned the property. Mr. Straka said that he has owned the property for 15 years.

Member Cole asked if there was a slope in the rear yard. Mr. Straka replied that it goes up a bit in the back. Member Cole asked if he had a problem with ponding in the back where the addition is proposed. Mr. Straka said that he does not.

Member Ipsen said that the variance code 10-14-6 states "It is the intent of this section to use the variation only to modify the application of this title to achieve a parity among properties similarly located and classified." He expressed concern that this property will not achieve a parity, but create a new benchmark. He cited the code again saying "Specifically, it is to be used to overcome some exceptional physical condition which poses practical difficulty or unnecessary hardship in such a way as to prevent an owner from using his property as intended by this title". He said that the property has already been in use, and it's up to this board to interpret the code.

Member Kaiser asked Mr. Straka if he considered decreasing the size of the addition, or moving it to the west side of the home. Mr. Straka replied that there is a deck and a kitchen that would prevent him from choosing either of those options.

Member Karasek asked Mr. Straka if he considered moving the addition to the east side of the home. Mr. Straka said that it could be done, but it might look like a trailer positioned on the side of the home.

Director Nilsen reviewed this request for a rear yard variation. He said that this request does not appear to harm the air light, neighborhood property values, or any negative impacts. He explained that any easement should reserve enough land so that any utility may be properly maintained and operated. He questioned whether or not there are unique enough circumstances on this lot that would validate granting a variance. Director Nilsen explained that there is only one other home among his neighboring properties that could fit an addition of this size without a variation. He stated that although he does not see this property as injurious to anyone, he also does not view this property as unique enough to grant a variance, and therefore recommends that the Planning and Zoning Board deny this request.

APPROVED MINUTES

Chairman Burdick expressed concern that granting this variation would set a precedent and allow for more variations in the future.

Member Ralston moved, seconded by Member Ipsen, to deny PZB 06-15; A request for a rear yard variation; 629 Asbury Court; PIN 07-401-102 because it is against the Village standard for variation. Upon roll call, the vote was:

YES: 6: Ipsen, Cole, Kaiser, Ralston, Keller, Karasek.

NO: 0.

ABSENT: 0.

THE MOTION CARRIED.

ADJOURNMENT

Chairman Burdick wished the audience and board members a safe and happy holiday season. There being no further discussion, Member Kaiser moved to adjourn the Planning and Zoning Board meeting at 8:12 p.m.

Respectfully Submitted,

Lori K. Folbrick
Deputy Clerk