

APPROVED MINUTES
VILLAGE OF ANTIOCH
PLANNING AND ZONING BOARD
MUNICIPAL BUILDING: 874 MAIN STREET, ANTIOCH, ILLINOIS
June 9, 2011

CALL TO ORDER

The Antioch Planning and Zoning Board meeting was called to order by Chairman Burdick at 7:32 p.m. in the Municipal Building, 874 Main Street, Antioch, Illinois 60002.

ROLL CALL

Roll call indicated the following members were present: Karasek, Weber, Ralston and Kaiser. Also present were Chairman Burdick, Attorney Long and Deputy Clerk Folbrick. Absent: Member Ipsen.

APPROVAL OF MINUTES

Member Karasek moved, seconded by Member Weber to approve the April 14, 2011 Planning and Zoning Board Minutes as presented. Upon roll call, the vote was:

YES: 4: Karasek, Weber, Ralston, and Kaiser.

NO: 0.

ABSENT: 1: Ipsen.

THE MOTION CARRIED.

ANNOUNCEMENTS AND CORRESPONDENCE

No Report.

OLD BUSINESS

No Report.

NEW BUSINESS

PZB 11-04 – Request for a sign variance to allow for a 76 square foot pole sign at 28 foot in height in accordance with procedures set out in Title 10, Chapter 15 of the Village Code. Applicant is seeking relief from Title 10-14, section 4, 7 and 11 of the Antioch Zoning Ordinance, which limits ground signs to 8 feet in height, requires the use of monument style bases, and prohibits internally illuminated cabinets. Petitioner: Site Enhancement Services. Property c.k.a. 660 Illinois Route 173 – The petitioner entered the certified mailing into the record. Deputy Clerk Folbrick administered the oath to those who wished to testify.

Mr. Charley Schalliol, representing Advance Auto Parts reviewed their request for a sign variance in order to get proper brand identification in the marketplace. He explained that there is a reduction in overall height and square footage from the previous blockbuster sign at their location. He discussed both the cabinet and pole signs, and the neighboring business signs at that location as well as the visibility traveling from east to west.

Member Ralston asked if trees on the neighboring property could be removed in order to increase visibility. Mr. Schalliol replied that those determinations are made with the real estate transactions.

Member Ralston asked if the current non-conforming signs that are grandfathered would expire at some point. Director Nilsen responded that an amortization calculation is currently being created, but has not yet been approved.

Member Kaiser asked what the setback requirements were for a monument sign. Director Nilsen replied that it is a 10-foot requirement.

Member Karasek asked if any other properties owned by the petitioner had monument signs that compare to the Village requirements. The petitioner responded that there are monument signs at their other stores, but is not familiar with the various code requirements at those locations.

Member Kaiser presented a graphic of the sign for Advance Auto Parts in Crystal Lake that would be compliant with the current village code.

Director Nilsen provided staff comments regarding the petitioner's request. He discussed the monument trend, and lack of hardship requirements needed to grant a variance, and therefore recommends denial of the request. Chairman Burdick asked if visibility would be an issue if a monument sign is done. Director Nilsen stated that the setback requirement should allow drivers to see upon exit.

The petitioner asked if they could have a height variance for a 12 or 15-foot monument sign, in order to increase the height for visibility of the sign.

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Member Ralston asked how the height requirement was determined. Director Nilsen explained that monument sign requirements are based on road, and speed limits. Store frontage and width of buildings dictate the square footage allowed for wall signs.

Director Nilsen indicated that staff believes there is justification to allow for a departure for area allowed on the wall sign, therefore, staff recommends granting a variance for the wall sign, and denying a variance for the monument sign.

Member Karasek moved, seconded by Member Weber, to approve PZB 11-04 request for one 100 square foot building wall sign, and to deny PZB 11-04 request for a pole sign, including the letter of recommendation from staff. Upon roll call, the vote was:

YES: 4: Karasek, Weber, Ralston and Kaiser.

NO: 0.

ABSENT: 1: Ipsen.

THE MOTION CARRIED.

PZB 11-05 – Request for a text amendment to Title 10, Chapter 6 of the Village, commonly referred to as the Zoning Code, as it relates to Pawnshops, Taverns, Bars, Lounges, Nightclubs, and to Title 10-15 of the Village Code as it relates to Special use Approval Criteria and Liquor Licenses. Petitioner: Dustin Nilsen on behalf of the Village of Antioch – Director Nilsen reviewed his request on behalf of the Village of Antioch for the text amendments in order to update the village code. The first of the text amendments would be the removal of pawnshops as an allowed use. The next two amendments relate to taverns, bars, nightclubs and lounges as it relates to a special use approval and removing liquor as the sole use for consideration by the Planning and Zoning Board. The final consideration is for the determination and factors considered with the special use approval criteria. The amendment would include measurable criteria in determining a finding of fact for the Planning and Zoning Board.

Member Kaiser asked if the criteria for special use approval regarding past performance would include past performance within the Village or in general. Director Nilsen said that it is not specified so a broad area could be considered.

Mr. Heden, Antioch Township resident, asked how the organization of the amendments would work. Director Nilsen reviewed the process, which would require a petitioner to submit a petition for a special use for the listed items.

Member Karasek asked if entertainment facilities should be included with the text amendment for bar/tavern/lounge in order to include everything. Director Nilsen replied that he could include that in with the bar/tavern/lounge group, but would like to come up with a generic name that would apply for businesses such as Dave N' Busters, or an off-track betting location. Staff will look into proper language that will help include a place of assembly.

Member Karasek asked if a statute of limitations should be included in the amendment requiring petitioners to submit new petitions after a set amount of time has passed since their initial request. Director Nilsen said that a sunset clause may fit better into a different section of the code, and will look into that as a future amendment.

Member Karasek asked if any of the code changes would affect any special events that come to the Village as a special use for liquor or any other permitted uses. Director Nilsen replied that it will not.

Member Weber moved, seconded by Member Kaiser, to approve PZB 11-05, request for a text amendment to Title 10, Chapter 6, with minor adjustments discussed to include language similar to entertainment assembly. Upon roll call, the vote was:

YES: 4: Karasek, Weber, Ralston and Kaiser.

NO: 0.

ABSENT: 1: Ipsen.

THE MOTION CARRIED.

Mr. Steve Chait, owner of Steve's Auto Body, stated that he was served with eviction notice to move his car lot. He was told that his business was in violation, but it was not clearly explained. Director Nilsen responded that the business property is zoned M-1 which does not allow for used car lots. Staff notified legal counsel representing the property owner that the use was in violation of the Village Code, and provided options for the owner and tenant to either cease the use, appeal the decision, or petition the Village for a text amendment to change the code to allow such use to be located there. He indicated that the owner provided a letter of eviction of his own choosing.

Mr. Chait explained that he is a licensed new car dealer and not solely a used car dealer. Director Nilsen replied that they look at the land use regardless of license issued by the state. There are not new cars being sold on the lot at this time.

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Attorney Long explained that there are complicated avenues for relief. He stated that Mr. Chait can appeal his decision, or petition for text amendment, however both require going through his landlord.

ADJOURNMENT

There being no further discussion, Member Weber moved, seconded by Member Ralston to adjourn the Planning and Zoning Board meeting at 9:28 p.m.

Respectfully Submitted,

Lori K. Folbrick
Deputy Clerk