

VILLAGE OF ANTIOCH

ORDINANCE NO. 17-08-31

***AN ORDINANCE GRANTING A SPECIAL USE FOR DRAGON FLY BED & BREAKFAST
1034 MAIN STREET
(PZB-17 10 SU)***

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

AUGUST 14, 2017

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this 17th day of August 2017**

LAWRENCE M. HANSON	President	JERRY JOHNSON	Trustee
		MARY DOMINIAK	Trustee
LORI K. ROMINE	Clerk	TED POULOS	Trustee
		SCOTT A. PIERCE	Trustee
ROBERT J. LONG	Attorney	ED MACEK	Trustee
		JAY JOZWIAK	Trustee

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WHEREAS, pursuant to Chapter 15 of Title 10 of the Antioch Village Code, a public hearing was commenced by the Combined Planning Commission and Zoning Board on July 13, 2017 following notification as required by State Law and Village Ordinance to consider a petition for a Special Use allowing for a Bed & Breakfast at 1034 Main Street. The applicant was Sherylyn Gronert, the owner of the aforesaid property and future operator of the Dragon Fly Bed & Breakfast.

WHEREAS, the Combined Planning Commission recommended approval to the Village Board to allow the operation of Special Use for a Bed & Breakfast; and

WHEREAS, the Corporate Authorities have concluded and found that the Special Use, subject to and in conformance with the terms and conditions of this Ordinance, conform to a majority of the required standards as required by ordinance, including; a) The compatibility of the proposed use with the existing and planned uses on abutting properties; b) Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in surrounding area; c) The proposed use will not change the predominant character of the surrounding area; d) The ability to mitigate adverse and understandable impact to the surrounding area, including, but not limited to the individual impacts, air emissions, noise, vibrations, glare, heat, odors, water pollution, electromagnetic interference and other nuisance effects; e) Amount of traffic generated and capacity and design of roadways and available parking facilities to handle anticipated traffic; f) The effect on infrastructure including water, wastewater, stormwater, utilities, and streets; g) The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use.

WHEREAS, the Corporate Authorities have concluded and found that the Special Use will further enhance economic development within the Village and promote the general welfare of the Village and the health, safety and welfare of the residents of the Village.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, LAKE COUNTY, ILLINOIS, AS FOLLOWS:

SECTION I: The representations, recitations and findings set forth in the foregoing recitals are material to this Ordinance and such recitals are hereby incorporated into and made a part of this Ordinance as though they were fully set forth herein. This Ordinance shall be liberally construed so that the purpose and intent represented by the recitals shall be accomplished to the greatest extent permitted by law.

SECTION II: That the real estate which is the subject of this ordinance (Subject Property) is legally described as follows:

Lot 5 in Plat of Wilton's Subdivision of part of the Southeast Quarter of the Southwest Quarter of Section 8, Township 46 North, Range 10, East of the Third Principal Meridian, according to the plat thereof recorded March 22, 1887 as document 35298, in Book "A" of Plats, page 61, in Lake County, Illinois.

SECTION III: That, subject to the conditions stated below, the Special Use shall be and is hereby approved and shall be binding upon the Village, Petitioner and Owner, and their respective owners successors, and assigns when a true execution copy of this Ordinance is tendered to the Village fully executed by the Petitioner and Owner, and when the Mayor has affixed his signature upon the Ordinance.

SECTION IV: The following exhibits shall be attached to and made a part of this Special Use Ordinance and, except as expressly modified by this Ordinance, compliance with all standards, requirements, designs or specifications in such exhibits shall be a condition of the grant of this Special Use Ordinance:

- A. Village Board Staff Report, attached as Exhibit A;

SECTION V: Any person violating the terms and conditions of this Ordinance shall be subject to a penalty not exceeding Five Hundred Dollars (\$500.00) with each and every day that the violation of the Ordinance is allowed to remain in effect being deemed a complete and separate offense. In addition, the appropriate authorities of the Village may take such other action as they deem proper to enforce the terms and conditions of this Ordinance, including, without limitation, an action in equity to compel compliance with its terms. Any person violating the terms of this Ordinance shall be subject, in addition to the foregoing penalties, to the payment of court costs and reasonable attorneys' fees. This section shall not apply to the Village of Antioch, its officials, agents or employees.

SECTION VI: If any provision, clause, sentence, paragraph, section, or part of this ordinance or application thereof to any person, firm, corporation, public agency or circumstance, shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair or invalidate the remainder of this ordinance and the application of such provision to other persons, firms, corporation, or circumstances, but shall be confined in its operation to the provision, clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered and to the person, firm, corporation, or circumstances involved. It is hereby declared to be the legislative intent of the corporate authorities that this ordinance would have been adopted had such unconstitutional or invalid provision, clause, sentence, paragraph, section, or part thereof not be included.

SECTION VII: That the Village Clerk is hereby directed and ordered to publish this Ordinance in pamphlet form as provided by law.

SECTION IX: That this Ordinance shall be in full force and effect from and after its passage, approval and publication as provided by law.

Passed this 14th day of August, 2017

	Ayes:	Nays:	Absent/Abstain:
Scott A. Pierce	X		
Jay Jozwiak	X		
Ted Poulos	X		
Ed Macek	X		
Mary Dominiak	X		
Jerry Johnson	X		

APPROVED:

By: _____

Lawrence M. Hanson, Mayor

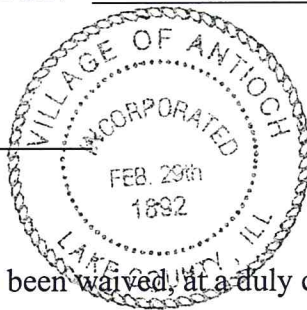
Date: _____

8-17-17

ATTEST:

By: _____

Lori K. Romine, Village Clerk



Presented and read, or reading having been waived, at a duly convened meeting of the Corporate Authorities on August 14, 2017

STATE OF ILLINOIS)
)
COUNTY OF LAKE) SS

CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on August 14, 2017, the Corporate Authorities of such municipality passed and approved Ordinance No. 17-08-31 entitled "AN ORDINANCE GRANTING A SPECIAL USE FOR DRAGON FLY BED & BREAKFAST 1034 MAIN STREET (PZB-17 10 SU)", which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 17-08-31 including the Ordinance and cover sheet thereof, was prepared and a copy of such Ordinance was posted in the municipal building, commencing on August 14, 2017 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this 14th day of August 2017

Lori K. Romine
Lori K. Romine, Village Clerk





REPORT TO: VILLAGE PRESIDENT and BOARD OF TRUSTEES
FROM: MICHAEL S. GARRIGAN, Esq, AICP, CNU-A, Community Development Director
DATE: August 7, 2017
SUBJECT: REPORT TO VILLAGE BOARD

CASE: Dragon Fly Bed & Breakfast
17-10 SU

REQUEST: Special Use

LOCATION: 1034 Main Street

APPLICANT: Sherylynn A. Gronert

ZONING: MT (Main Street Transitional)

Background

The applicant currently owns a historic single family home at 1034 Main Street in Downtown Antioch and is proposing to convert this home into a Bed & Breakfast. The home is located in the Main Street Transitional District and a Bed & Breakfast is identified as a Special Use in the Village's Form Based Code.

The applicant is not proposing to alter the outside exterior of this historic home. Currently, the home is a two story Gothic Revival Home design which has been beautifully restored and incorporates significant historic integrity to the structure. The applicant is proposing to convert the single family house into a four (4)-bedroom B & B. The applicant is not proposing to change any physical features of the single-family home, including the existing access point on Main Street or garage located at the rear of the property. The current owner of the property will continue to reside in the house and will rent out bedrooms as part of this proposed business.

Special Use

When reviewing any proposed Special Use, it is important to look at the surrounding uses and determine whether what is being proposed is consistent with the character of the area. Therefore, it is necessary to look at the site's context, the nature of the surrounding uses and potential impact that the Special Use will have.

Below is a summary of the surrounding uses:

North:	Single-Family Home	(MT)
East:	Single-Family Home	(MT)
South:	Single-Family Home	(MT)
West:	Single-Family Home	(MT)

In accordance with Section 10-15-5, any proposed Special Use must comply with certain findings of facts that are outlined in this section of the Zoning Ordinance. The required findings of facts are as follows:

ANALYSIS

a) The compatibility of the proposed use with the existing and planned uses on abutting properties:

The Village's Form Based Code recognizes that a Bed & Breakfast are compatible to a single-family neighborhood. Nothing in this proposal will alter the existing single family character of this property other than a ground sign that is being proposed for this Bed & Breakfast. The existing character of the house blends into this single-family neighborhood which is adjacent to Main Street.

The purpose of the Main Street Transitional District is to encourage the conversion of the existing single-family homes into offices, shops, and other uses that are historically in character of the Downtown. Main Street was historically a single-family neighborhood, but with the widening of the Main Street, fewer people wish to reside on Main Street due to the traffic volumes.

b) Any increase in density or intensity of the proposed use that will affect the compatibility of the use with existing and planned uses in the surrounding area.

There is nothing in the proposed conversion of this single-family home that will have any detrimental impact on any of the adjacent parcels. As highlighted, nothing with respect to the exterior of this home will change. The property will continue to appear as a single-family and will continue to blend into the neighborhood seamlessly.

The very nature of the Village's Form Based code is to regulate form, versus use. The form, massing, design, of this single family home is not changing. The only change is the conversion of this single-family home into a Bed & Breakfast. Historically, Downtowns would incorporate a mixture of uses and there is nothing inconsistent with an antique shop, Bed & Breakfast, or a single family home all being located on the same block.

c) The proposed use will not change the predominant character of the surrounding area.

As highlighted above, there is nothing in this proposed use that will change the predominant character of the area as single-family. The applicant is proposing to incorporate six (6) parking spaces on the subject site. One small area adjacent to the existing garage will be expanded to accommodate a recreational vehicle or a large vehicle. Other than these small changes to the parking area in the rear, there will be no significant changes to the existing site. The Village's Code requires 1 space for every guest bedroom. The applicant's 4 bedrooms thus would require 4 parking spaces.

The applicant's proposed use will be no more intense than the existing antique stores which are located to the south and north of the subject site. This use is consistent with the Village's Form Based Code and fits into the long term vision of the Main Street Transitional District. Staff continues to encourage a mixture of single-family homes, offices, and boutiques along Main Street. Main Street as envisioned will encourage a healthy mixture of small businesses and residential, while preserving the historic integrity of the physical fabric along the corridor.

d) The ability to mitigate adverse and understandable impact to the surrounding area, including, but not limited to individual impacts, air emissions, noise, vibrations, glare, heat, odors, water pollution, electromagnetic interference and other nuisance effects.

This proposed use will have no impact on additional noise, vibrations, emissions, glare, heat, or any other factors as outlined in the above finding of fact.

e. Amount of traffic generated and capacity and design of roadways and available parking facilities to handle anticipated traffic.

This proposed Bed & Breakfast will have no direct impact on the amount of traffic in the area.

f. The effect on infrastructure including water, wastewater, stormwater, utilities, and streets;

The proposed Bed & Breakfast will have no impact on stormwater, or the Village's capacity to handle any additional drainage. Only a small area of parking is being expanded on the subject site and the existing impervious areas of the site should be able to handle any additional drainage.

g. The incorporation and integration of architectural and landscape features to mitigate impacts from the proposed use.

The proposed use of the site as a Bed & Breakfast integrates very well into the residential character of this area along Main Street. The proposed use is a low impact use and the architecture of this historic home is not changing. The home blends in currently with the other historic homes in Downtown Antioch and nothing in the applicant's proposal will change this fact.

More importantly, this new use brings the opportunity for people to stay in Downtown Antioch. As the Downtown continues its long term revitalization with new businesses and destinations, this Bed & Breakfast provides another economic development tool to make Downtown Antioch unique and a regional destination.

RECOMMENDATION

The proposed Bed & Breakfast as outlined above meets the required finding of facts that are required for a Special Use. The proposed use will have no negative impact on the adjacent properties and will not alter the essential single-family character of the area. As proposed, this use will be a low impact on the neighborhood and will incorporate less traffic than the existing antique stores located to the south and north of the subject site.

Based on the foregoing analysis, Staff makes the following recommendation:

We move that the Village Board waive the first reading and approve the herewith attached Special Use Ordinance for Dragon Fly B & B subject to the following stipulations:

- 1. Compliance with the requirements of the Antioch Fire Protection District.***
- 2. Compliance with the requirements of the Village Engineer.***