



APPROVED Minutes of the **REGULAR MEETING OF THE ZONING BOARD** held on Tuesday, January 14, 2014, in the Public Meeting Room in the Village Hall, One Olde Half Day Road, Lincolnshire, IL.

PRESENT: Chairman Manion, Members Kalina, and Leider.

ALSO PRESENT: Stephen Robles, Village Planner.

ABSENT: Trustee Liaison Brandt and Member Van de Kerckhove.

CALL TO ORDER: **Chairman Manion** called the meeting to order at 7:01 p.m.

1.0 ROLL CALL

The roll was called by **Village Planner Robles** and **Chairman Manion** declared a quorum to be present.

2.0 APPROVAL OF MINUTES

2.1 Approval of the Minutes of the Zoning Board Meeting held Tuesday, November 12, 2013.

Member Leider moved and **Member Kalina** seconded the motion to approve the minutes of the Regular Meeting of the Zoning Board held Tuesday, November 12, 2013, as submitted. The motion passed unanimously by voice vote.

3.0 ITEMS OF GENERAL BUSINESS:

3.1 WORKSHOP to discuss proposed Text Amendments to Chapter 14 of the Zoning Code to update requirements for Administration and Enforcement (Village of Lincolnshire).

Village Planner Robles presented Staff's memorandum and explained the objective of the proposed update were to revise the Zoning requirements that pertain to process and procedure with current practices, and to provide as much certainty and clarity in the development process for applicants. The regulations are housed in Chapter 14, *Administration and Enforcement*, of the Zoning Code, which outlines the authority, procedures, and standards on the administrative functions of planning and zoning matters in Lincolnshire. **Village Planner Robles** continued that before Staff proposed any new code language, the Zoning Board's input in specific areas was sought.

Village Planner Robles identified **Item 1** of Staff's memorandum and explained the Site Plan Review Board (SPRB) consists of key Village Staff who carry out technical review of preliminary site plans for proposed developments on an as-needed basis. The current code requirements of the SPRB detail a more formalized Board, with specific meeting protocols, which did not reflect the practical nature of the SPRB. He continued, that since the SPRB was not a true Advisory Board, the group's title should be reclassified to properly reflect the role of this group, such as Development Review Committee or

similar. Also, the responsibilities of the group would be revised to more appropriately reflect current practices.

The Zoning Board was in agreement with Staff's direction regarding Item 1.

Item 2, Village Planner Robles explained that no building permits could be issued unless a Zoning Certificate had first been issued indicating the proposed structure or use complied with all the provisions of the Zoning Code. The use of Zoning Certificates is not unusual in planning. However, such process was proven redundant in Lincolnshire, and the issuance of a Building Permit or Certificate of Occupancy is sufficient documentation of zoning compliance. Since such use has not been employed or deemed necessary in the Village, **Village Planner Robles** sought if it would be appropriate to remove this section from the Code.

The Zoning Board was in agreement with Staff's direction regarding Item 2.

Item 3, different from Zoning Certificates, **Village Planner Robles** described Certificates of Zoning Compliance were issued upon request to confirm compliance with applicable zoning regulations. Such certificates are commonly requested prior to the transfer of ownership of a building or property. Staff proposed to update the regulations to reflect the current administration of Certificates of Zoning Compliance.

The Zoning Board was in agreement with Staff's direction regarding Item 3.

Item 4, Village Planner Robles presented that Exception Certificates were intended to be issued for any lot which had been granted relief from any zoning provisions. However, he noted, any relief from the zoning code required the adoption of a signed Village ordinance. Therefore, the Zoning Exception Certificate was a redundant requirement. To eliminate redundancies and confusion from the Zoning Code, Staff recommended such section be removed.

The Zoning Board was in agreement with Staff's direction regarding Item 4.

Item 5, Village Planner Robles explained the Committee of the Whole Referral process was not currently a code requirement or state law requirement. He continued, in its purest form, the Referral process was simply an analysis of areas of concern and contentious issues that would require further analysis by Advisory Boards at public hearings. The Referral process had at times evolved into upfront decision-making rather than conceptual and initial input, which creates a level of uncertainty in the overall process for an applicant and limits the ability of Advisory Boards to fully vet a proposal. Staff proposed defining the Referral process and establishing criteria so the process became a benefit to the development review process.

Member Leider sought confirmation of the Referral process as one to fully vet a project by following the proper process, and ensure the process remains in place by applying more structure so each step is clear. **Village Planner Robles** agreed with **Member Leider's** comments and explained the challenges in meeting with an applicant and conveying a level of uncertainty in number of Referral meetings. Additionally, the increased level of detail sought at Referral meetings, is such that should be presented in a Public Hearing meeting with the Zoning Board. **Chairman Manion** agreed with both **Member Leider's** and **Village Planner Robles'** comments.

Village Planner Robles continued with **Item 6** and explained any petition considered by the Zoning Board must currently receive the approval of 4 Members or be denied. Given the current number of Zoning Board Members, Staff felt it could be appropriate to reduce the required number of approval votes to 3 Members to alleviate Member's burden.

The Zoning Board unanimously agreed that any proposed decrease could result in increased absences, as well as the current Member levels remaining the same. **Member Kalina** questioned if the minimum number of votes could fluctuate based on attendance numbers. **Village Planner Robles** noted that input from the Village Attorney would be needed to determine if such was possible.

Item 7, Village Planner Robles continued whenever a variance or special use was granted, such approval became null and void unless construction was substantially under way within 1 year for variations and 3 years for special uses. He explained, this was to ensure any relief granted was for a specific proposal with intent to construct, and not open-ended. Since variations vary greatly by project, Staff felt it could be appropriate to extend the current 1 year revocation to 3 years to provide the same flexibility as special uses.

Chairman Manion noted his support for the extension, noting much could change, such as the economy, within a year. **Member Leider** noted his support, but questioned what the benchmarks were for such revocation. **Village Planner Robles** confirmed additional research would be conducted to provide additional information based on **Member Leider's** request.

Village Planner Robles continued with **Item 8** and explained the current Special Use section outlined the general procedures for typical Special Uses. Since Planned Unit Developments (PUDs) were also authorized by Special Use, the PUD provisions are contained as a subsection of Special Uses. However, the unique nature of PUDs included substantial procedural regulations in the subsection which tended to get lost amongst the entire Special Use Section. He continued, the specific regulations in which PUDs are reviewed and authorized, results in substantial regulations that justified its own section. In addition, **Village Planner Robles** suggested the specific regulations should be overhauled to follow current requirements and expectations.

The Zoning Board was in agreement with Staff's direction regarding Item 8.

Item 9, Village Planner Robles explained Continuing Care Retirement Campuses (CCRC) were another special use contained as a subsection within the overall Special Use Section. Other special uses that are permitted within specific zoning districts contain their regulations within the applicable zoning district sections. Since CCRCs are only permitted in the R4 District, Staff noted it could be appropriate to relocate this subsection to the R4 Zoning section where other authorized Special Uses in R4 reside.

The Zoning Board was in agreement with Staff's direction regarding Item 9.

Village Planner Robles sought feedback from the Zoning Board on whether a Public Hearing should be scheduled or if the Board preferred Staff return with draft code revisions for the February meeting. **Chairman Manion** recommended Staff return with

draft code language for the Zoning Board's review and comment prior to the holding of a Public Hearing. **Village Planner Robles** confirmed Staff would return in February with proposed code language.

4.0 UNFINISHED BUSINESS (None)

5.0 NEW BUSINESS (None)

6.0 CITIZENS COMMENTS (None)

7.0 ADJOURNMENT

There being no further business, **Chairman Manion** adjourned the meeting at 7:26 p.m.

Minutes Submitted by Stephen Robles, Village Planner