

# VILLAGE OF GURNEE

## PLAN COMMISSION ZONING BOARD OF APPEALS

AUGUST 11, 1993

Plan Commission Members Present: Robison, Smith, Gill and Kaplan  
Plan Commission Members Absent: Cepon, Hellstern and Rudny  
Zoning Board of Appeals Members Present: Marcinkus, Clark, Ledden, Amundsen, Winter and Hood  
Zoning Board of Appeals Members Absent: Sula  
Other Officials Present: Jon Wildenberg, Director of Building; Tracy Einspanjer, Village Planner; and Barbara Swanson, Village Attorney

1. Mr. Kaplan moved, seconded by Mr. Hellstern, to appoint Mr. Dan Robison Chairman Pro-Tem of the Plan Commission.

Roll Call Vote:

Ayes: Robison, Smith, Gill & Kaplan  
Nays: None  
Motion Carried 4-0

The Plan Commission was called to order at 7:30 P.M. by Chairman Pro-Tem Robison.

The Zoning Board of Appeals was called to order at 7:30 P.M. by Chairman Hood.

2. Mr. Kaplan moved, seconded by Mr. Gill, to approve the minutes of the July 28, 1993 meeting as presented.

Roll Call Vote:

Ayes: Robison, Smith, Gill & Kaplan  
Nays: None  
Motion Carried 4-0

No motion was made on the minutes of July 28, 1993, by the Zoning Board of Appeals, due to a lack of quorum at that meeting.

3. Continued Public Hearing: Consideration of Amendments to Article 5.2 of the Zoning Ordinance, the Commercial Business District (C/B-2), to allow a contractors' office and accessory equipment storage yard as a special use.

Mr. Tom Henderson, petitioner, was in attendance.

Ms. Einspanjer explained that the Henderson's have operated a contractor's business at 4288 Grand since 1964. The use is a legal non-conforming use in the C/B-2 zoning district due to a series of Zoning Ordinance changes. An amendment to the C/B-2 district is requested in order to bring their business into conformance so that they may remodel and expand.

Mr. Amundsen asked if the non-conforming use was "grandfathered" into the current zoning regulations.

Mr. Wildenberg explained that this is basically the case. Previously, the property was used for a sheet metal shop.

Mr. Marcinkus suggested that should this text amendment be approved, the Henderson's should buffer their site with an 8-foot high wood fence.

Mr. Wildenberg said that a fence would be permitted.

Mr. Maiden stated that in the past, there were concerns over text amendments that could potentially erode the Village's tax base. With the retail growth to the west, this is no longer as great of a concern. However, as a measure of protection, he recommends that any text amendment for this type of use be limited to parcels under two acres.

Mr. Wildenberg noted that expanding a non-conforming use is not allowed. Size limits imposed will help control these types of uses from getting out of control.

Mr. Marcinkus expressed concern over the possibility over the possibility of the parcel being broken-up to be used as a separate use.

Mr. Maiden explained that special uses are recorded for a specific property as part of the legal description. Any subdivision of the property would be in direct violation of said special use permit.

Mr. Amundsen commented that this use does not seem to be a natural fit into the C/B-2 district.

Mr. Wildenberg noted that many aspects would be considered before a special use permit would be issued.

Mr. Kaplan questioned why two acres was decided as the maximum allowable size.

Mr. Maiden explained that more acreage, such as 10 acres or more, would likely bring more problems (i.e. heavy equipment).

The Plan Commission and Zoning Board of Appeals questioned Mr. Henderson about plans for his business.

Chairman Hood questioned if the special use permit would address specific restrictions (i.e, screening of the site, hours of operation, types of vehicles stored on the site, etc.)

Mr. Maiden stated that yes, the Village would have the ability to make restrictions.

Mr. Kaplan asked what would happen if the business transferred owners.

Mr. Maiden stated that the original restrictions would apply.

Mr. Amundsen moved, seconded by Mr. Winter, to forward a favorable recommendation to the Village Board to amend Article 5.2 of the Gurnee Zoning Ordinance to add "contractors' offices and accessory equipment storage yards not exceeding two (2) acres in total land area" as a special use and to add "accessory outdoor storage of related contractors' equipment only as part of an approved special use, provided a screening plan from abutting properties is included as part of the special use."

Roll Call Vote:

Ayes: Marcinkus, Clark, Ledden, Amundsen, Winter and Hood

Nays: None

Motion Carried 6-0

Mr. Kaplan moved, seconded by Mr. Gill, to forward a favorable recommendation to the Village Board to amend Article 5.2 of the Gurnee Zoning Ordinance to add "contractors' offices and accessory equipment storage yards not exceeding two (2) acres in total land area" as a special use and to add "accessory outdoor storage of related contractors' equipment only as part of an approved special use, provided a screening plan from abutting properties is included as part of the special use."

Roll Call Vote:

Ayes: Robison, Smith, Gill & Kaplan

Nays: None

Motion Carried 4-0

Mr. Hellstern moved, seconded by Mr. Gill to adjourn the Plan Commission at 8:15 P.M.  
Voice Vote: All Ayes

Mr. Hood moved, seconded by Mr. Clark, to adjourn the Zoning Board of Appeals at 8:15 P.M.  
Voice Vote: All Ayes

Respectfully submitted,

Jim Colella, Secretary  
Plan Commission