

MINUTES – UNOFFICIAL UNTIL APPROVED
KENDALL COUNTY
ZONING BOARD OF APPEALS MEETING
111 WEST FOX STREET, Room 209 and 210
YORKVILLE, IL 60560
OCTOBER 3, 2016 – 7:00 p.m.

CALL TO ORDER

At 7:00 p.m., Chair Randy Mohr called the Zoning Board of Appeals meeting to order.

ROLL CALL

Members present: Randy Mohr, Karen Clementi, Tom LeCuyer, and Dick Thompson.

Members absent: Donna McKay, Scott Cherry, and Dick Whitfield.

Staff present: Pete Iosue, AICP, Teska Associates, Inc.

Public: Mel Traharne (Traharne Family Farm), Scott and Jenny Cosentino, Anthony Perro, Larry Nelson and Doug Nelson (petitioner).

MINUTES

Mr. LeCuyer, seconded by Mr. Thompson, moved to approve the August 29, 2016 meeting minutes. With a voice vote of all ayes, the motion was approved.

PETITIONS

16-25 The Bluffs, Inc. d/b/a Cider Creek (Larry Nelson)

Request: Variances related to Special Use – Banquet Hall, Seasonal Festival.

Location: 15888 Frazier Road, Plano

Purpose: A-1 Special Use to allow a banquet hall, a nano-brewery, a micro-distillery, a year-round seasonal festival with petting zoo, and production and sale of sweet cider.

Chairman Mohr opened the public hearing and swore in all members of the audience that wished to speak about the variances.

Pete Iosue summarized the petition and reviewed the staff report.

Larry Nelson (petitioner) presented a summary of the project. Mr. Whitfield and Mr. Mohr clarified that cider processing would not be conducted for outside customers, and selling would occur primarily on-site but may involve bringing in more apples if/when necessary.

Questions from the audience (Scott Cosentino and Anthony Perro) were focused on the potential increase in traffic, the sale of alcohol, screening of the property, noise, hours of operation, and the proximity to existing residential uses.

Ms. Clementi questioned the proposed noise limits as compared to the current County ordinance.

Chairman Mohr closed the public hearing.

Chairman Mohr reviewed the Findings of Fact as pertaining to the variance requests:

1. *That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.* While the subject property is not on an existing collector road, both Frazer Road and Creek Road are well maintained Township Roads which frequently accommodate truck traffic from the nearby Hillside Nursery. The subject property is planned for commercial use on the County's Future Land Use Plan. The property owner has already installed a significant landscape buffer along both Frazier Road and Creek Road. This dense planting will help maintain the agricultural character of the area while allowing parking within the required 100' agricultural setback.
2. *That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification.* True. This is a unique combination of uses, and is not likely to be replicated in other areas of the County.
3. *That the alleged difficulty or hardship has not been created by any person presently having an interest in the property.* The code requirements for a location on a collector road, a 100' parking setback, and maximum 1,000 square foot retail store were not created by the applicant.
4. *That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located.* The surrounding area is primarily agricultural, and many of the proposed uses (apple orchard, cider mill) are also agricultural in nature. Appropriate conditions have been included to ensure limits to noise and lighting to protect the public welfare. The nearest home is approximately one-half mile from the proposed buildings.
5. *That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood.* The Little Rock/Fox Township Fire Protection District has reviewed and approved the proposed special use, as has the Little Rock Township Road Commissioner.

All of the Findings of Fact were approved by a vote of 4-0, except for Finding #5 which was approved 3-

1. Ms. Clementi disagreed with the traffic counts as presented by the petitioner.

Mr. LeCuyer motioned to approve the variances as requested, seconded by Ms. Clementi. The motion to approve the requested variances was approved 4-0.

REVIEW PETITIONS THAT WENT TO COUNTY BOARD

None

NEW BUSINESS/OLD BUSINESS

Mr. Iosue highlighted potential petitions that may be before the Board at the next meeting.

PUBLIC COMMENT

None

ADJOURNMENT OF THE ZONING BOARD OF APPEALS

Chairman Mohr requested a motion to adjourn the Zoning Board of Appeals meeting. Mr. LeCuyer made a motion to adjourn. Ms. Clementi seconded the motion. With a voice vote of all ayes, the motion carried. Chairman Mohr adjourned the Zoning Board of Appeals meeting at approximately 8:00 p.m.

** Minutes prepared by Pete Iosue, Teska Associates, Inc.*