

**MINUTES OF THE REGULAR MEETING OF THE ZONING PLANNING & APPEALS COMMISSION OF THE VILLAGE OF METTAWA, LAKE COUNTY, ILLINOIS, HELD AT THE HOUR OF 7:00 P.M. ON TUESDAY, JUNE 4, 2024 IN THE COTTONWOOD ROOM**

**I. CALL TO ORDER:**

Chairman Leonard called the meeting to order at 7:00 PM.

**II. ROLL CALL:**

Upon a Call of the Roll, the following persons were:

Present: Commissioners Carruthers, Palmer, Witten and Chairman Leonard

Absent: Commissioners Fantus, Meluso and Pickell

Chairman Leonard declared a quorum present.

Also, present were: Village Attorney, Jim Rhodes of Klein, Thorpe & Jenkins, Ltd; Village Administrator, Mandi Florip; Village Clerk, Sandy Gallo

**III. APPROVAL OF MINUTES:**

The Zoning, Planning and Appeals Regular meeting minutes for April 11, 2023 were reviewed. Commissioner Carruthers provided edits but no content changes. It was moved by Commissioner Carruthers and seconded by Commissioner Witten that the meeting minutes of the April 11, 2023 be approved with the edits and be placed on file.

Upon a Call of the Roll, the following persons voted:

Aye: Commissioners Carruthers, Palmer, Witten and Chairman Leonard

Absent: Commissioners Fantus, Meluso and Pickell

Chairman Leonard declared the motion carried and that the meeting minutes be placed on file.

Residents Present: Wendie Clark, Sweb Smolic and Brad Buell

**IV. CALL OF CASES:**

Chairman Leonard indicated the work of the Zoning, Planning, and Appeals Commission consists of reviewing matters brought before us that affect zoning and planning in the Village. The Commission is a fact-finding body and has no final authority. As a result, the Commission makes no final decisions regarding any matter, but only makes recommendations to the President and Board of Trustees of the Village of Mettawa based upon the testimony presented.

- a. CASE No: 24-SU-1 The Applicant seeks a special use permit to allow a previously constructed barn to be converted to be used as a guest house on the Subject Property, 15101 W Old School Road. A special use permit is required for any guest house in the R-1 District, to pursuant to Section 15.702(A) of the Village of Mettawa Zoning Ordinance.

The public hearing on Case No: 24-SU-1 was opened at 7:05 pm.

Upon a Call of the Roll, the following persons voted:

Aye: Commissioners Carruthers, Palmer, Witten and Chairman Leonard

Absent: Commissioners Palmer, Meluso and Pickell

Chairman Leonard declared a quorum present.

Chairman Leonard indicated the following documentation as being entered as exhibits: **Exhibit 1**, the notice of the public hearing posted in the Daily Herald on May 6, 2024 in the matter required by law as; Also, a sign was posted on the property giving notice of the public hearing as required by the village’s zoning code; **Exhibit 2**, the applicant provided proof of mailings; **Exhibit 3**, the zoning application and title of insurance; **Exhibit 4**, the plans of the barn, guest house prepared by Northworks dated April 4, 2024; **Exhibit 5**, site plans labeled Block Proposed Addition and Site Improvements dated May 7, 2024; **Exhibit 6**, Partial Plat of survey; **Exhibit 7**, photos of shed.

No written objections were received. No objectors were present at the meeting.

In attendance, Philip Block, the property owner of 15101 W Old School Road and Keith Lubutta the Northworks Architect for Mr. Block.

Mr. Block indicated he purchased his property in October of 2022. He is not a horse owner, as a result his intention is to convert the horse barn into a guest house. Mr. Block stated he has no true purpose to use this structure as a guest house but it is defined under Section 15.1203 special use classification for his human use, it is refence as a guest house. This space will be used for watching football games, playing board games, reading, special family dinners, a different space to enjoy meals rather than the house. It will not be rented nor will it be used as an Airbnb. This structure does not have a full bathroom.

Village Attorney Rhodes asked Mr. Block if this structure was going to be used for parties. Mr. Block replied, yes for his family gatherings. The Village Attorney further asked if this location was going to be rented out for parties. Mr. Block replied no. No commercial use was confirmed by Mr. Block.

Village Attorney Rhodes stated the properties impervious surface will need to be addressed based on the proposed work. With the removal of gravel paddock east of the barn and installing grass the total impervious surface coverage would be reduced to 14.3%. Two encroachments will also need to be addressed as conditions to the approval for a special use. The first condition would be, the canopy from the shed will need to be removed or reduced. The second condition includes the wooden fence on the vacant parcel along Old School Road would need to be removed as it is on the village’s right-of-way. Mr. Block agreed to rectify both encroachments.

Please reference the transcripts for full details of this meeting from the Village Clerk.

The public hearing was closed at 7:40 pm.

Chairman Leonard stated this zoning application conforms to the zoning code. A few conditions were needed to correct the encroachments.

This special use permit will be approved with the following conditions with which the owners,

beneficial owners, titleholders of record, occupants, and users of the subject property shall strictly comply:

1. The Applicant shall reduce the total impervious surface coverage on the subject property to 14.3%. In so doing, the Applicant shall remove the gravel paddock to the east of the barn and install a grass surface or other landscaping within such area.
2. Prior to approval of any building permit for the guest house, the applicant shall eliminate the subject property encroachments as follows: a.) remove all or a portion of the canopy of the shed to eliminate the encroachment within the required setback area of the subject property, b.) remove the wood fence from the Old School Road right-of-way, and c.) remove the wood fence encroaching upon the vacant parcel of land to the east of the subject property. Applicant shall apply for all necessary permits required for the elimination of these encroachments.
3. The guest house shall not be rented or leased for short term or long-term use. It can only be used for family members.
4. The guest house shall not be used for any commercial purpose.
5. Any modification to the footprint or location of the guest house shall require an amendment to the special use permit.
6. The Applicant shall apply for a building permit for the conversion of the barn within thirty (30) days of the date of approval of the special use by the Village Board, shall take all necessary steps to comply with all building codes of the Village of Mettawa, and shall complete construction of the barn to a guest house within six (6) months of the date of issuance of the building permits for such conversion

A motion was made that the ZPA recommend to the Village Board the special use request including the two conditions.

The motion was moved by Commissioner Carruthers and seconded by Commissioner Witten.

Upon a Call of the Roll:

Aye: Commissioners Carruthers, Palmer, Witten and Chairman Leonard

Nay: None

Absent: Commissioners Fantus, Meluso and Pickell

Chairman Leonard declared the motion carried.

A motion was made to authorize the Chairman to draft the Findings and Facts on this matter and report the Zoning, Planning and Appeals recommendations to the Mayor and Board of Trustees of the Zoning.

The motion was moved by Commissioner Witten and seconded by Commissioner Palmer.

Upon a Call of the Roll, the following persons were present:

Aye: Commissioners Carruthers, Palmer, Witten and Chairman Leonard

Nay: None

Absent: Commissioners Fantus, Meluso and Pickell  
Chairman Leonard declared the motion carried.

**V. COMMUNICATIONS:**

**VI. REVIEW OF REPORTS OF COMMISSION COMMITTEES:**

**VII. OLD BUSINESS:**

**VIII. NEW BUSINESS:**

Village Attorney Rhodes indicated another public hearing will be held once the authorization is received for the village's five parcels to be rezoned from R-1 Single-Family to Open Space District. As a result, we will have a public hearing for the reclassification of these parcels. We also may have a case to hear of a resident requesting to consolidate his properties.

**IX. ADJOURNMENT:**

With no further business to discuss, it was moved by Commissioner Carruthers seconded by Commissioner Witten that the meeting be adjourned.

Upon a Call of the Roll:

Aye: Commissioners Carruthers, Palmer, Witten and Chairman Leonard

Absent: Commissioners Fantus, Meluso and Pickell

Chairman Leonard declared the motion carried and the meeting adjourned at 7:51 pm.

Sandy Gallo, Village Clerk