

**PLANNING & ZONING COMMISSION MEETING MINUTES**  
**November 3, 2015 - 7:00 p.m.**

Chairman Carbonetti called the meeting to order at 7:00 p.m. City Clerk Wells called roll. Commission members present: Jim Carbonetti, Mike Grieshop, Jim Hutchinson, John Killeen, Tom Condon and Phil Smith. Also present were City Clerk Wells and Community Development Director Santeler.

**Planning and Zoning Commission Minutes of May 5, 2015 – Approved**

Moved by Commissioner Killeen, seconded by Commissioner Smith to accept the minutes of the Planning and Zoning Commission meeting of May 5, 2015, as presented. All ayes. Motion carried.

**Trinity Evangelical Lutheran Church Final Plat of Trinity Subdivision and Rear Yard Setback Variation for property located at 501 Grant St.**

Commissioner Carbonetti opened the hearing in the petition of Trinity Evangelical Lutheran Church, 504 E. Diggins St., Harvard. The petitioner is seeking approval of a final plat of subdivision for property located at 501 Grant St., Harvard. The petitioner is further seeking relief from Section 17.20.080, Lot Area, Yard & Bulk Regulations (Table 1) of the Harvard Municipal Code to allow for a lesser rear yard requirement.

The parties of interest in the petition were present. City Clerk Wells confirmed that the fees have been paid. The Certificate of Publication as published in the Northwest Herald was noted and entered into the record. Certified notices were sent to adjacent property owners. City Clerk Wells presented into record the signed petition as submitted by the petitioners and Ordinance 2015-121, *An Ordinance Granting a Variation for Petitioner, Trinity Evangelical Lutheran Church from Title 16, Subdivisions, of the Harvard Municipal Code*, granting a variation from the requirement that a topographic survey be attached to the petition for subdivision which was approved by the City Council on September 22, 2015.

**Staff Report**

Community Development Director Santeler noted that part of the petition included a plat of survey of the subject property noting the parcel split. A plat of subdivision has since been submitted with copies distributed to the Commission.

**Identification of Objectors/Supporters/Witnesses/Audience Participation**

No objectors, supporters or witnesses were identified.

**Presentation of Evidence by Petitioners**

Upon being sworn in by City Clerk Wells, Steve Schultz reviewed Trinity Evangelical Lutheran Church's petition seeking approval of:

- 1) Final Plat of Trinity Resubdivision
- 2) Rear yard setback requirement of 30 ft. reduced to 26 ft.

The subject property has been owned by Trinity Evangelical Lutheran Church since 1951 and the parsonage was constructed in the mid 50's. The church no longer has need of the parsonage because pastors today in the Lutheran Church do not want to live in a parsonage and prefer having their own home to build up equity. The property is on four city lots, but the vast majority of the two northern lots are the church's parking lot which they do not want to sell, which necessitates a subdivision of the property.

**Questions by Planning and Zoning Commissioners to Petitioners**

- Commissioner Grieshop inquired about the on-street parking perpendicular to the road in front of the parsonage. Community Development Director Santeler indicated the on street parking is on the City parkway and it is fine for it to remain. In the event that portion of the road is repaved, the City would have an agreement with Trinity to see if they wanted to continue to have the paved area.
- City Clerk Wells noted a state precedent indicating that it is perfectly legal for a Commission member who is also a member of the of the church to discuss and vote on the matter so long as there is no financial gain.

### Vote on Petition

Moved by Commissioner Smith, seconded by Commissioner Condon to recommend to the City Council that the Final Plat of Trinity Resubdivision and the rear yard setback variation be approved as presented. Roll call vote: Grieshop, aye; Hutchinson, aye; Killeen, aye; Condon, aye; Smith, aye and Carbonetti, aye. Motion approved six to zero.

City Clerk Wells advised that the Planning and Zoning Commission's recommendation will come before the City Council at their next regular meeting on Tuesday, November 24th, 2015, at 7 p.m. in the City Council Chambers at 201 W. Front St., Harvard. The petitioner was advised to be in attendance.

At 7:08, a motion was made by Commissioner Grieshop, seconded by Commissioner Smith to close the hearing. All ayes. Motion carried.

### **Adam Harasimowicz (petitioner) Seeking Relief of Total Lot Area, Front and Rear Yard Setback Requirements for Property Located at 406 Garfield St.**

At 7:09 p.m., Commissioner Carbonetti opened the hearing in the petition of Adam Harasimowicz, 1319 Sage Lane, Harvard. The petitioner purchased the lot at a sheriff's auction and is seeking relief from Section 17.20.080, Lot Area, Yard & Bulk Regulations (Table 1) of the Harvard Municipal Code to allow for lesser total lot area, front and rear yard setback requirements for property located at 406 Garfield St., Harvard.

The parties of interest in the petition were present. City Clerk Wells confirmed that the fees have been paid. The Certificate of Publication as published in the Northwest Herald was noted and entered into the record. Certified notices were sent to adjacent property owners. City Clerk Wells presented into record the signed petition as submitted by the petitioners.

### Staff Report

Attached to the petition. Although the structure was built as a single family home, the most previous use for many decades, was a legal non-conforming two family dwelling. The property lost the two family and single family legal non-conforming status because it was vacant for longer than a year and now needs to conform to the regulations of the R2 Zoning District.

### Identification of Objectors/Supporters/Witnesses/Audience Participation

No objectors, supporters or witnesses were identified.

### Presentation of Evidence by Petitioners

Upon being sworn in by City Clerk Wells, Adam Harasimowicz reviewed his petition seeking relief of:

- 1) Lot area requirement of 8,712 sq. ft. reduced to 5,391 sq. ft.
- 2) Front yard requirement of 25 ft. reduced to 18.5 ft.
- 3) Rear yard requirement of 30 ft. reduced to 21 ft.

### Questions by Planning and Zoning Commissioners to Petitioners

- At Commissioner's Killeen's inquiry about off street parking, Community Development Director Santeler stated that two cars can be parked on the north side of the house.
- Community Development Director Santeler noted the structure is in a state of disrepair and he has requested that Adam retain the services of an architect to address some structural issues.

### Vote on Petition

Moved by Commissioner Smith, seconded by Commissioner Condon to recommend to the City Council that the petition be approved as submitted. Roll call vote: Hutchinson, aye; Killeen, aye; Smith, aye; Condon, aye; Carbonetti, aye and Grieshop, aye. Motion approved six to zero.

City Clerk Wells advised that the Planning and Zoning Commission's recommendation will come before the City Council at their next regular meeting on Tuesday, November 24th, 2015, at 7 p.m. in the City Council Chambers at 201 W. Front St., Harvard. The petitioner was advised to be in attendance.

At 7:09 p.m., it was moved by Commissioner Grieshop, seconded by Commissioner Smith to close the hearing. All ayes. Motion carried.

**Clerk's Report**

1. The City Council has petitioned for a hearing in December to revoke the conditional use for Thomas Merryman due to a breach in their annexation agreement.
2. The City received a grant from the Chicago Metropolitan Agency for Planning (CMAP) to redo the Comprehensive Land Use Plan. Several public hearings/open house have been conducted over the last year. The Comprehensive Land Use Plan will come before the Planning and Zoning Commission in February or March.
3. The City applied for and tentatively received a grant from CMAP to redo the subdivision and zoning ordinance into a unified ordinance, but the grant may be on hold until the state budget is resolved.
4. The City is working on a Parks Comprehensive Plan.

At 7:21 p.m., moved by Commissioner Smith, seconded by Commissioner Killeen to adjourn the meeting. All ayes. Motion carried.

Submitted by:  
City Clerk Andy Wells

Date: 11-13-15

