

Minutes of the
Village of Bourbonnais
Planning Commission/Zoning Board of Appeals Meeting
June 19, 2008

1. Call to Order.

The meeting of the Planning Commission/Zoning Board of Appeals held June 19, 2008 was called to order at 7:30 P.M. by Chairman Ed Hayes. Members present were Ed Hayes, Paul Cavitt, Terry Gund, Ralph Huntley, Joan Pierce, and Jerry Savoie. Also present were Gary Preston, Building Commissioner and Pat Dunn, Village Attorney.

2. Approval of Minutes.

A motion was made by Joan Pierce, seconded by Paul Cavitt, to approve the minutes of the May 22, 2008 meeting as presented. Voice vote indicated all members present (6) voted, "Aye." Motion carried.

3. New Business

Mr. Hayes announced that the Village Board has appointed Dan Kirsch to fill the temporary vacancy in the Planning Commission and the Zoning Board of Appeals. The appointment is now in effect.

(Zoning Board of Appeals)

- A. Case# ZBA-08-001 Request for a Variance, allowing for an Ornamental Aluminum Picket Fence on the entire rear yard including over the Drainage Easement for Property Located at 225 Barrington Drive, Lot 467 in Briarcliff Estates Subdivision.
Petitioner: Rick & Deena Majszak, 225 Barrington Drive, Bourbonnais, IL 60914.

Mr. Hayes read the request for a variance, allowing for an ornamental aluminum picket fence on the entire rear yard including over the drainage easement for property located at 225 Barrington Drive, Lot 467 in Briarcliff

Estates Subdivision. He noted the following requirement has been met: publication in the Herald, notification of adjacent property owners and filing fee paid. He next read a letter from Tyson Engineering, addressed to Mayor Paul Schore (attached and made a part of these minutes). In essence it states a fence should not be allowed in the Drainage Easement.

In response to this, the petitioner, Deena Majszak notes that she sees inconsistencies in the area.

Mr. Hayes stated that when a parcel of any size is developed the design engineer presents a drainage plan. This plan is then sent a reviewing engineer for approval. If approval is not given, reasons must be given and the design engineer must redo the plan. Once a drainage easement has been approved by the Village Board nothing can be done to change it. So a variance cannot be given.

Mrs. Majszak then asked Mr. Tyson several questions which he answered.

Mr. Dunn, Village Attorney stated that Chapter 7 in the Village Code states there is no allowance for variances for drainage easements.

A motion was made by Jerry Savoie, seconded by Ralph Huntley that the Zoning Board of Appeals deny the request for a variance, allowing for an ornamental aluminum picket fence on the entire rear yard including over the drainage easement for property located at 225 Barrington Drive, Lot 467 in Briarcliff Estates Subdivision.

Roll call vote indicated all members present (7) voted "Aye." Motion carried. Variance denied.

(Planning Commission)

- A. Case# 08-Z-010 Request for a Public Hearing to Consider an Ordinance Amending Chapter 36, Article X of the Municipal Code of the Village of Bourbonnais, IL 60914.
Petitioner: Village of Bourbonnais, 700 Main NW, Bourbonnais IL 60914.

Mr. Hayes read the request for a Public Hearing to consider an ordinance amending Chapter 36, Article X of the Municipal Code of the Village of Bourbonnais.

Mr. Dunn, Village Attorney said this amendment concerns Temporary

Buildings and Mobile classrooms. It clarifies the language used and gives restrictions.

There was no response from the audience.

A motion was made by Joan Pierce, seconded by Paul Cavitt that the Planning Commission recommend the Village Board approve the request to consider an Ordinance Amending Chapter 36, Article X of the Municipal Code of the Village of Bourbonnais. Roll call vote indicated all members present (7) voted "Aye." Motion carried. Recommendation to be made at the July 7, 2008 Village Board meeting.

- B. **Case# 08-Z-011** Request for a Public Hearing to Consider a Request for a Special Use Permit to Allow a Special Needs School in a B-1 Zoning for Property Located at 600 North Convent, Bourbonnais, IL 60914.
Petitioner: Joe Franco, Heritage Development, 200 East Court Street, Kankakee, IL 60901.

Mr. Hayes read the request for a Special Use Permit to allow a Special Needs School in a B-1 Zoning for property located at 600 North Convent, Bourbonnais, IL. It was noted the following requirements have been met: notification in the Herald, notification of adjacent property owners and filing fee paid. He also stated that neither the Planning Commission or the Village Board had more than very limited information about this requested use.

Mr. Jeff Bennett, representing Joe Franco, the sole owner of the property stated the property contains approximately 6 acres. The former Kroger Store occupied 42,000 square feet of this space. Camelot, the special needs school, would occupy 18,000 square feet at the south end of the building. He then introduced Rella Peeler the director of Camelot.

Ms. Peeler then explained the functioning of the school. In essence Camelot Therapeutic School is a day school for students from Kindergarten thru 12th grade. Students are referred by local school districts probably within a 30 mile radius. She noted some of these students are presently attending their school in Tinley Park, which is a long ride for them. The students are transported from their school district building to Camelot by their local school. The student's school district will pay the tuition. She explained the types of extraordinary need the students have that will benefit at their school. Many of the above statements were in response to some questions Mr. Hayes had. He felt all of these needs should be met at the local level.

Mr. Dunn asked if there would be a playground and if it would be fenced. The answer was "yes" to both questions. He also asked if this school would have an impact on surrounding businesses? The answer was "No." He also noted that the building would have to be brought up to meet Village standards. Mr. Bennett said it would.

Mr. Hartley questioned what would occupy the rest of the building. Mr. Bennett said that Mr. Franco has several business that have expressed interest in locating there.

It was noted by commissioners that the legal description for the Special Use include the entire 6 acres whereas the school will occupy just a little over 18,000 square feet. For this reason the legal description should be only for the portion to be occupied by Camelot, for Camelot only. The legal description needs to be amended.

Questions from the audience:

Jim Keener of the Fire Protection District reminded the petitioner that there needs to be extensive work to meet the approval of the Fire Protection District's regulations. The owner will be responsible to see that this is done.

A motion was made by Joan Pierce, seconded by Jerry Savoie that the Planning Commission recommend the Village Board approve the request for a Special Use Permit to allow a Special Needs School in a B-1 Zoning for property only located at approximately 18,000 square feet of the south end of the former Kroger Store (600 North Convent) with an amended legal description attached for that portion and not the whole store and that continuing consultations with the Bourbonnais Fire Protection District be held so that the district can approve all necessary work.

Roll call vote indicated all members present (7) voted "Aye." Motion carried. Recommendation to be made at the July 7, 2008 Village Board meeting.

4. Old Business

(Zoning Board of Appeals)

None

(Planning Commission)

None

5. Public Comments.

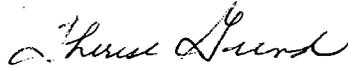
None

6. Adjournment.

Because of commitments a motion was made by Joan Pierce, seconded by Jerry Savoie that the September meeting be moved to September 18, 2008. Voice vote indicated all members present (7) voted, "Aye." Motion carried.

A motion was made by Jerry Savoie, seconded by Paul Cavitt, to adjourn the meeting. Voice vote indicated all members present (7) voted, "Aye." Motion carried. Meeting adjourned at 9:00 P.M. Next meeting to be held July 24, 2008.

Respectfully Submitted,



Theresa Gund, Secretary
Village of Bourbonnais
Plan Commission/Zoning Board of Appeals

Tg/sb