

**Minutes of the
Village of Bourbonnais
Planning Commission/Zoning Board of Appeals Meeting
November 19, 2009**

1. Call to Order.

The meeting of the Planning Commission/Zoning Board of Appeals held November 19, 2009 was called to order at 7:30 P.M. by Chairman Ed Hayes. Members present were Ed Hayes, Paul Cavitt, Terry Gund, Ralph Huntley, Mark Argyelan, Joan Pierce and Jerry Savoie. No member was absent. Also present were Gary Preston, Building Commissioner and Pat Dunn, Village Attorney.

2. Approval of Minutes.

Mr. Hayes noted that meetings for September and October had been cancelled. A motion was made by Jerry Savoie, seconded by Joan Pierce, to approve the minutes of the August 27, 2009 meeting as presented. Voice vote indicated all members present (7) voted, "Aye." Motion carried.

3. New Business

In view of the fact that there were people in the audience, Mr. Hayes informed them of the procedures that are followed in our meetings.

(Zoning Board of Appeals)

- A. **Case # ZBA-09-001** Request for a Variance allowing for a porch and roof extension in front of house for property located at 227 Esther Circle, Bourbonnais, IL 60914.

Petitioner: Donna J. Brown, 227 Esther Circle, Bourbonnais, IL 60914.

Mr. Hayes read the request for a variance for a porch and roof extension in front of house for property located at 227 Esther Circle. He noted the following requirements had been met: proof of publication in the Herald, proof of notification of adjacent property owners and filing fee paid.

He then read part of the petition in which the petitioner, Donna Brown, explained why she was requesting this variance (attached and made a part of these minutes). He next read parts of the Village Code of Ordinances which addressed a variance for this request.

There were no comments from the audience.

A motion was made by Mark Argyelan, seconded by Paul Cavitt, that after a Public Hearing the Zoning Board of Appeals grant a variance allowing for a porch and roof extension in front of house for property located at 227 Esther Circle, request by Donna Brown, 227 Esther Circle. Roll Call vote indicated all members present (7) voted "Aye." Motion carried. Variance granted.

Mr. Hayes then informed the petitioner that the next step is to meet with the code official to make sure all work complies with Village Code.

- B. Case# ZBA-09-002 Request for a Variance allowing for a six foot brick and metal fencing in front yard for property located at 615 Main Street, Bourbonnais, IL 60914.
Petitioner: Olivet Nazarene University, One University Avenue, Bourbonnais, IL 60914.

Mr. Hayes was told by Mr. Preston that the Petitioner for Case# ZBA-09-002 has asked to have the request for this case be removed from the agenda.

(Planning Commission)

- A. Case# 09-Z-009 Request for a Public Hearing to Consider a Request for Annexation and Annexation Agreement with for Property Land Tract comprising approximately 79 acres, bounded by 5000 North Road on the North and U.S. Route 45-52 on the East, Bourbonnais, IL 60914.
Petitioner: Dr. Sarode Pundaleeka, Dr. Surender Dhiman and Paramjit Singh Sidhu.

Mr. Hayes read the request for a public hearing to consider a request for Annexation and Annexation Agreement with for property land tract comprising approximately 79 acres, bounded by 5000 North Road on the North and U.S. Route 45-52 on the East, Bourbonnais, IL 60914.

It was noted the following requirements had been met: proof of publication in The Herald. The filing fee had been waived.

In answer to a question it was determined the property is contiguous to the Village.

Ken Carlson, representing the petitioners, Dr. Sarode Pundaleeka, Dr. Surender Dhiman and Paramjit Singh Sidhu stated this property consists of three adjacent properties comprising about 79 acres most of which is farmland and is about 1320 feet deep. The requested zoning of B-2 is consistent with what is shown on the Village Comprehensive Plan.

Mr. Jeff Bennett, realtor, said that at present the one interest in locating at the site but the envision for a retail development. Mr. Hayes noted that the Village has been interested in the annexation of this property because it is surrounded by the Village of Bourbonnais.

Since there were no questions from the commissioners he then asked for comments from the audience restating the rules.

Michelle Zabin, 309 High Point Circle North. She is opposed to the request because of the proposed development. Her residence is on the north portion of High Point Subdivision. Her back yard will abut this property. She also does not like the idea of a road abutting her subdivision.

Mr. Hayes again stated that this property is designated B-2 Zoning in the Comprehensive Plan. He explained how the Comprehensive Plan is developed.

Ms. Zabin then stated she should have been told about the proposed plan when she bought her property.

David Williams, 411 High Point Circle North, stated the reasons why he objected to the project because it is adjacent to a residential development and the fact that they were not made aware of the future use of that property when they purchased their home.

Steve Christopher, 471 Highpoint Court North, objected to the petition. He did not want that zoning because of traffic that it would bring.

Judy Arbour, 263 High Point Circle North, objected to the request for a business district next to their home.

Roger Goeckner, 1829 Midcourt Drive, voiced his concern about possible increased noise and traffic.

Harriet Davis, 240 High Point Circle North, expressed her concern about the proposed fence line.

Olivia Podilla, 323 High Point Circle North, said she opposed the development.

Mr. Hayes thanked all for their participation.

A motion was made by Jerry Savoie, seconded by Ralph Huntley that after a public hearing the Planning Commission recommend the Village Board approve the request for Annexation and Annexation Agreement for property land tract comprising approximately 79 acres, bounded by 5000 North Road on the North and U.S. Route 45-52 on the East, Bourbonnais, IL 60914 and that the Board enter into an Annexation Agreement with the petitioners. Presentation to be made at the December 7, 2009 Village Board meeting.

Roll call vote results were:

Paul Cavitt	- "Aye "	Ralph Huntley	- "Aye "
Mark Argyelan	- "Abstain "	Joan Pierce	- "Aye "
Terry Gund	- "Aye "	Jerry Savoie	- "Aye "
		Ed Hayes	- "Aye "

6 voted, "Aye", 1 voted "Abstain" Motion carried. Recommendation to be made at the December 7, 2009 Village Board meeting.

4. Old Business

(Zoning Board of Appeals)

None

(Planning Commission)

None

5. Public Comments.

Calendar for 2010 was presented

A motion was made by Mark Argyelan, seconded by Ralph Huntley, to adopt the calendar for 2010 as presented (attached and made a part of these minutes). Voice vote indicated all members voted "Yes". Motion carried. Calendar for 2010 was adopted.

A Presentation of the Tri-Village Development Overlay District.

Laurie Cyr reported on the open meeting held recently concerning the Tri-Village Development Overlay District. About 70 people attended. There were a few questions. These questions are already addressed in our Village Codes.

A motion was made by Mark Argyelan, seconded by Paul Cavitt, that the proposed Tri-Village Development Overlay District be approved by the Village Board. We accepted as presented. Voice vote indicated all members present (7) voted "Aye". Motion carried. Recommendation to be made at December 7, 2009 Village Board meeting.

6. Adjournment.

A motion was made by Paul Cavitt, seconded by Jerry Savoie, to adjourn the meeting. Voice vote indicated all members present (7) voted, "Aye." Motion carried. Meeting adjourned at 8:40 P.M. Next meeting to be held December 17, 2009.

Respectfully Submitted,



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

Tg/sb