

**PLANNING AND DEVELOPMENT COMMITTEE**  
**McHenry County Government Center – Administration Building**  
**667 Ware Road – Conference Room A**  
**Woodstock, IL 60098**

Minutes of Thursday, January 20, 2005

Ann Gilman, Chairman	
Jim Heisler	Ann Kate
Peter Merkel	Marc Munaretto
Virginia Peschke	Barbara Wheeler

Chairman Gilman called the Planning and Development Committee meeting to order at 8:18 a.m. The following members were present: Ann Gilman, Ann Kate, Marc Munaretto, Virginia Peschke, Barbara Wheeler and Pete Merkel. Jim Heisler was absent. Also in attendance: SuzAnne Ehardt, Director Planning and Development Department and P & D staff members; Ken Koehler, County Board Chairman; Don Englert, Regional Superintendent of Schools; interested public; and press.

MINUTE APPROVAL

Ms. Peschke made a motion, seconded by Ms. Kate, to approve the regular session minutes of the Planning and Development Committee meeting of January 6, 2005. Ms. Gilman asked that the minutes be amended to reflect that the EDC is hosting its annual dinner, not NIPC. The minutes were approved as amended with a unanimous voice vote.

PUBLIC PARTICIPATION

Jim Fraser of LaMar Advertising addressed the Committee regarding his concerns with the proposed sign ordinance. He asked that the Ordinance require a 5 foot side yard set-back and that billboards be permitted in vacant commercial and industrial lots.

Jack Schaefer addressed the Committee regarding his concerns with the proposed sign ordinance. He stated it is his understanding that the Ordinance as proposed would require a survey which includes all buildings and structures on the parcel, noting that to update a survey can be costly. He also echoed Mr. Fraser's comments. He welcomed the opportunity to participate in the Committee's discussion with permission.

Mr. Munaretto asked if there was any reason not to permit such participation. Chairman Gilman stated that they have been allowed to participate on an ongoing basis. She also commented that the proposed ordinance requests that a survey be provided and as previously approved, the committee had deleted the requirement that the survey must be within the last five years. She stated it was intended to have a survey showing property lines. Ms. Ehardt pointed out that a survey is needed for set-back purposes. Mr. Munaretto said the survey should provide reasonable details of buildings and easements.

Chairman Gilman stated that discussion has gotten off-track and asked that the Committee return to the agenda.

Deb Justus addressed the Committee regarding the sign ordinance.

PRESENTATION: None.

SUBDIVISIONS: None.

OLD BUSINESS

*Resolution and Intergovernmental agreement with the Lake County Stormwater Management Commission concerning stormwater management and enforcement:* Mr. Munaretto made a motion, seconded by Mr. Merkel, to recommend the County Board approve a Resolution authorizing an Intergovernmental agreement with the Lake County Stormwater Management Commission concerning stormwater management and enforcement. The motion carried with a unanimous voice vote of all ayes.

Approved: 2/3/05

*Sign Ordinance Issues – Informational Memo:* Ms. Ehardt provided a memorandum to help clarify the following concerns raised during the January 4th presentation of the Sign Ordinance to the County Board: (1) prohibiting signs painted directly on a (historic) building wall; (2) 5' vs. 10' side yard set-back; (3) flags in general and the American flag specifically; and (4) signs on vacant commercial and industrial parcels.

Chairman Gilman asked if wording could be added to address signage on a smaller lot. Ms. Ehardt responded that non-conforming parcels could be addressed or the Committee could chose to go back to the 5' side yard set-back. Mr. Munaretto questioned how many signs would be impacted, noting that there is a cost to the County which must be taken into consideration. Mr. Schaefer interjected that when lots are small, businesses erect signage at the edge of the property to maximize parking for their customers. County Board Chairman Koehler echoed Mr. Schaefer's observations. After further discussion, Mr. Munaretto made a motion, seconded by Ms. Wheeler, to make the side yard set-back requirement at 5'. The motion carried with five ayes (Kate, Munaretto, Wheeler, Peschke and Gilman) and one nay (Merkel).

Chairman Gilman stated the wording addressing signs painted directly on a building wall will remain as proposed.

Chairman Gilman noted that there has been much discussion and misunderstandings relative to Section 301.10. She reminded the Committee that this addresses flag poles and does not restrict the flying of the American flag. Ms. Kate stated that with so much misunderstanding, she would like to see this section taken out. Ms. Peschke raised concerns that if this were to be deleted, how would the flag pole be addressed to insure that it is properly installed. Ms. Ehardt will review the Building Codes to see if these concerns could be addressed through that ordinance. Ms. Wheeler made a motion, seconded by Mr. Munaretto, to remove the "red" wording in Section 301.10. The motion carried with five ayes (Kate, Munaretto, Wheeler, Merkel and Gilman) and one nay (Peschke).

The last issue for discussion is that of signs on vacant commercial and industrial parcels. The current ordinance does not allow for such signage, but permits were granted that should not have been. Chairman Gilman expressed her support that this item remain with no changes. Mr. Munaretto expressed his opinion that by not allowing a property owner to take full opportunity to his vacant commercial and industrial parcel was an impingement to their constitutional right. After discussion, it was determined to not change this section.

Mr. Munaretto asked if requests for sign variations could be heard by a hearing officer instead of the ZBA and asked that the fee for such a hearing be set at \$200.00. Ms. Ehardt stated she would provide this document at the next meeting.

*Ordinance adopting 2005 McHenry County Sign Ordinance:* Ms. Peschke made a motion, seconded by Ms. Wheeler to recommend the County Board adopt the 2005 McHenry County Sign Ordinance with the changes discussed and approved during today's meeting. On a roll call vote, the motion carried with four ayes (Peschke, Wheeler, Merkel and Gilman) and two nays (Kate and Munaretto).

#### NEW BUSINESS

*Hebron Drainage District:* The Committee reviewed the request to reappoint Mr. Hauri and Meier to the Hebron Drainage District. Ms. Peschke made a motion, seconded by Mr. Munaretto, to recommend the County Board approve a Resolution reappointing William Hauri, Jr. for a term to expire 9/1/06 and Mr. Bruce Meier for a term to expire 9/1/07 to the Hebron Drainage District. The motion carried with a unanimous voice vote of all ayes.

*Letter of support for recycling grant:* A document regarding a recycling grant was provided for the Committee's information with no action necessary.

*Updated School Donation Formula:* Mr. Englert provided a summary to a proposed ordinance to amend Article 10, School Developer donation requirements. The proposed ordinance amendment is required to address the yearly adjustments to CPI. Mr. Merkel asked if land values had been reviewed. Mr. Englert responded that at some point this will need to be done. Ms. Peschke suggested reevaluating land values. At the Committee's direction,

Mr. Englert will move forward with this suggestion. After further discussion, Ms. Kate made a motion, seconded by Ms. Wheeler, to recommend the County Board approve an Ordinance amending Article 10, school developer donation requirements of the McHenry County Subdivision Ordinance and consolidating Ordinances amending Article 10, School Developer Donation Requirements after a 30 day review. The motion carried with all members present voting aye on a voice vote. Mr. Englert expressed his appreciation to the Committee and County Board for their continued support.

REPORTS

*Stormwater* – None

*MCEDC* – The annual dinner is scheduled for February 3rd

*NIPC* – None

*MCCD* – None

*Planning Commission* – Ms. Ehardt will be meeting with the Highway Department to review the Unified Land Use/Transportation plan

MISCELLANEOUS

Ms. Ehardt stated a presentation on LESA will be made at the February 1, 2005 County Board meeting and a presentation on Wonder Lake will be done at the March 1, 2005 County Board meeting.

Chairman Gilman stated the Committee will be reviewing the Zoning Ordinance in the near future.

Ms. Wheeler asked if the Sign Ordinance will enable non-conforming signs to be confiscated if the owner does not conform. Ms. Ehardt stated that removal can only take place after proper notification, but these issues are usually addressed through a court order.

EXECUTIVE SESSION

None

ADJOURNMENT

Mr. Merkel made a motion, seconded by Ms. Peschke, to adjourn at 9:28 a.m. The motion carried with a unanimous voice vote.

\* \* \* \* \*

**RECOMMENDED FOR BOARD ACTION:**

Approve a Resolution authorizing an Intergovernmental agreement with the Lake County Stormwater Management Commission concerning stormwater management and enforcement

Adopt the 2005 McHenry County Sign Ordinance

Approve a Resolution reappointing William Hauri, Jr. for a term to expire 9/1/06 and Mr. Bruce Meier for a term to expire 9/1/07 to the Hebron Drainage District

Approve an Ordinance amending Article 10, school developer donation requirements of the McHenry County Subdivision Ordinance and consolidating Ordinances amending Article 10, School Developer Donation Requirements after a 30 day review

:bjt