

CITY OF COUNTRYSIDE

*803 Joliet Road
Countryside, IL 60525
www.countryside-il.org*



Meeting Minutes

Regular Meeting of the Plan Commission

Zoning Board of Appeals

Tuesday, February 6, 2024

7:15 P.M.

City Hall

Board Members

**Chairman Robert Schwarz, Secretary Tina Grotzke,
Bryan White, Marco Gutierrez, Ronald Ward, Steve Kehr,
Tom Geraghty, Danielle Edenfield, Jonathan Gertsmeier**

Meeting called to order at 7:15 p.m. by Chairman Schwarz.

Roll Call: Secretary Gutierrez called the Roll of Members physically present:
Present: Chairman Robert Schwarz, Steve Kehr, Tom Geraghty, Marco Gutierrez, Danielle Edenfield, Bryan White, Jonathan Gertsmeier, Ronald Ward
Absent: Tina Grotzke
Also Present: City Attorney Erik Peck, Planning Manager Richard Trent, Recording Sec. Prokop

Approval of Minutes -- The Regular Meeting Minutes of December 5, 2023 were previously distributed to Board Members. There being no corrections or additions, motion made to approve the minutes as presented.

A motion was made by Mr. Geraghty, seconded by Mr. White, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 8 Schwarz, Ward, Kehr, Geraghty, Gutierrez, Gertsmeier, White, Edenfield
Nay: 0
Absent: 1 Grotzke

Chairman's Comments - None

Action Items

1. CASE #PTA24-0001: Consideration of a Text Amendment

- a. To consider amending Zoning Code Section 10-2-17 to include hot tub/spa systems language involving the erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use as accessory structures to residences in the Code; and
- b. To consider amending Zoning Code Section 10-2-4-5 to modify the Permitted Obstructions in Required Yards language to include hot tub/spa systems in the Code.

Chairman Schwarz noted that Legal Notice has been sent out by the Community Development Department. PM Mr. Trent presented the Staff Report: The proposed Text Amendment addresses two (2) sections in the Code – amending Section 10-2-17 to include hot tub/spa systems language in the Code and Section 10-2-4-5 to modify Permitted Obstructions in Required Yards language to include hot tub/spa systems in the Code. In 2023, the City began receiving an increase in the number of hot tubs/spa system requests. The current Code does not specifically address hot tub/spa systems; they have always been treated as either a pool or detached accessory structure. The Building Commissioner requested that the new amendments be initiated to cover omissions in the Building Code, the Zoning Code, and the Health & Sanitation Code. Staff worked with the City Attorney to prepare new language that would specifically address hot tub/spa systems so that moving forward there would be a clearly defined process for review.

The result of the collaboration is a recommendation of amendments to the Code being proposed in three steps: (1) Update Title 10, Section 10-2-17 of the Zoning Code to include the minimum requirements and standards for the administration and enforcement of “*hot tub/spa systems*” as well as

update Section 10-2-4-5 to include *“hot tub/spa systems”* as a permitted obstruction in required yards; (2) Update Title 8, Section 8-1-2 of the Building Code to include *“hot tub/spa systems”* language under fees, charges and general permit requirements as an accessory structure; and (3) Update Title 6, Section 6-3-1 of the Health & Sanitation Code to include *“hot tub/spa systems”* language as a nuisance enumerated if the intended systems are kept, in a foul, offensive, nauseous or filthy condition. Nothing would change in terms of required setbacks. For those properties greater than 10,000 square feet, pools must be a minimum of ten (10) feet away from the house and the side and rear yard (property line); these types of structures or uses are generally found in the back yard. For those properties less than 10,000 square feet, pools must be a minimum of five (5) feet from the house and three (3) feet from the side and rear yard (property line), noting that some areas are smaller in Ward 1.

Photos of four (4) different types of hot tub/spa systems were displayed – the first, a large wood tub situated on a patio in the back yard; the second being a heavy duty plastic unit with cover situated on pavers in the back yard; the third type being an inflatable type on a concrete pad in the backyard; and the fourth also being a hard heavy duty plastic unit with steps and handrail situated on a deck in the backyard.

City Attorney and Staff researched a few communities which included Palatine, Schaumburg, Wilmette and Prospect Heights in order to identify these types of uses and bridge the Codes by proposing a three-step approach. Any language that denotes pools, would now include *“hot tubs/spa systems”*. Steps 2 and 3 would **not** be subject to the review of PC/ZBA – would only require the review and approval of the Infrastructure Committee/City Council. In closing, all proposed language is open for input, modification and revision as deemed necessary for inclusion in the City of Countryside Code.

Ms. Edenfield does not see language on perimeter fencing, as needed for pools. Mr. Trent stated that the Building Code does call for a fenced-in area and/or latching cover. She also asked about water discharge – drainage must be on one’s own property typically in the rear yard. The “grandfathering” portion is unclear; there is nothing in the language about it. Mr. Trent explained that if a resident wished to relocate their spa to another location that would prompt adherence to the current standards with new fees and permits being required. Mr. Geraghty asked about hot tub/spa systems at townhomes – would that require a variance. Mr. Trent indicated that an individual’s HOA may have applicable rules and regulations re: these types of uses. Mr. White moved to close the Evidentiary Portion of the Public Hearing, seconded by Mr. Gutierrez and carried by unanimous voice vote. There were no public comments since no members of the public were present.

Mr. Gertsmeier moved, seconded by Mr. Gutierrez, to recommend approval of the Text Amendment to amend Section 10-2-17 of the Zoning Code to include hot tub/spa systems language involving the erection, installation, alteration, addition, repair, relocation, replacement, maintenance or use as accessory structures to residences in the Code; and to amend Section 10-2-4-5 of the Zoning Code to modify the Permitted Obstructions in Required Yards language to include hot tub/spa systems in the Code, as presented.

A motion was made by Mr. Gertsmeier, seconded by Mr. Gutierrez, that this matter be APPROVED as presented. The motion carried by the following vote:

Aye: 8 Schwarz, Ward, Kehr, Geraghty, Gutierrez, Gertsmeier, White, Edenfield
Nay: 0
Absent: 1 Grotzke

Chairman Schwarz declared that this matter will come before the City Council at its Regular Meeting on February 28, 2024.

Public Comment – None

Other Business

Comprehensive Plan Update - Final Status

Mr. Trent stated that the Comprehensive Plan Open House took place on Thursday, January 18, 2024 at 6:30 p.m. Participants were given the opportunity to review the latest version of the Plan and ask questions. Staff was happy to report that the event was fairly well attended. Some new people came to the event and expressed concerns and comments. Mr. Trent indicated that we are now in the final adoption stage. This matter will tentatively come before the PC/ZBA for recommendation of approval on March 5, 2024. Many thanks was extended to all those who showed up and have been involved throughout the update process.

Ticket Statistics (for December 2023 & January 2024) - The final statistics for December 2023 were presented. The total number of tickets for all violations was 118. Parking/storing tractor-trailers accounted for 81 tickets. In January 2024, 10 tickets were issued in total - 5 issued for idling trucks prohibited; 0 issued for parking/storing tractor-trailers; 1 issued for commercial vehicles at residence; and 4 issued for not registered to a business.

2018-24 Zoning Case Log - This is a tracking document for Staff and for PC/ZBA members. New items were added to the case log.

Upcoming Cases

The next meeting is March 5, 2024. The Annual Zoning Map Update and **tentatively** scheduled the Comprehensive Plan adoption will be discussed. Ms. Gina Fisher (with Autobarn VW) should have submitted paperwork to expand the dealership to the vacant lot to include the storage of inventory; nothing has been submitted to date.

Home Depot is seeking to expand their seasonal storage area quite a bit further into the parking lot, beyond the main center road of the Plaza. They would be looking to amend their Special Use (Ordinance No. 20-07-O). The new owner of 6420 Joliet Road is working with their architect to submit final plans for a banquet facility/fine dining restaurant with an outdoor seating area.

Physician's Immediate Care is still not open. Lucky Dog is now open (formerly known as Russell's B-B-Q). Creative Academy is open – working in a smaller capacity than originally presented.

ADJOURNMENT:

A motion was made by Mr. Gertsmeier, seconded by Mr. Gutierrez, that this meeting be ADJOURNED. The motion carried by the following vote:

**Aye: 8 Schwarz, Ward, Kehr, Geraghty, Gutierrez, Edenfield, White,
Gertsmeier**

Nay: 0

Absent: 1 Grotzke

Chairman Schwarz declared the meeting adjourned at 8:00 p.m.

APPROVED:

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Robert J. Schwarz", is written over a horizontal line.

ROBERT SCHWARZ, CHAIRMAN

/fp