

CRYSTAL LAKE TOWNSHIP ZONING BOARD OF APPEALS
PUBLIC HEARING FOR REQUEST OF INTERPRETATION & REQUEST FOR VARIANCE
MAY 26, 2022 – CRYSTAL LAKE TOWNSHIP HALL – 6 PM

1. CALL TO ORDER/PURPOSE OF MEETING
Meeting called to order by Chair George Stemple at 6:00 pm.
2. ROLL CALL: Recording Secretary called roll call:
Zoning Board of Appeals Members Present: Gregory Wright, Alan Marble, George Stemple;
Quorum present.
Staff Present: Tom Kucera, CLT Zoning Administrator, and Jeannette Feeheley, Recording Secretary.
Visitors:
Elaine Clement, daughter of the Nugents
Irene Nugent
Duane Nugent
3. CALL FOR CONFLICT OF INTEREST: None expressed.
4. APPROVAL OF MINUTES OF MEETING ON APRIL 7, 2022
Stemple moved for approval without amendment of the draft Minutes of the April 7, 2022 meeting of the Zoning Board of Appeals. Marble seconded. All ayes. Minutes approved.
5. APPROVAL OF AGENDA
Stemple moved for approval of the proposed Agenda. White seconded. All ayes. Agenda approved.
6. PUBLIC COMMENT – About items not on the Agenda.
None offered.
7. ADMINISTRATION OF SPEAKER’S OATH
Stemple asked those present who wished to speak to stand and promise per the Speaker’s Oath. Zoning Administrator administered the oath and all applicant representatives and members of the public who were present stood and so promised.
8. REQUEST FOR VARIANCE – DUANE NUGENT 781 LAKE ST.
 - a. OPEN PUBLIC PORTION OF MEETING: Public Hearing opened by the Chair at 6:04 pm.

Zoning Administrator gave explanation of the applicant’s request for an interpretation of the zoning map which has the Nugents’ property in three zoning districts: City of Frankfort, Crystal Lake Township Zone R3 and Crystal Lake Township Zone RP-2.5. He explained how the Ordinances work in matters where zoning boundaries are difficult to ascertain. He reported the Nugents have two dwellings on a single lot which are currently non-conforming as the dwellings were built prior to the current zoning being put into place, but designating the RP-2.5 portion as R-3 and allowing land division will resolve this non-conformity.

b. Applicant – Time Limit – 8 minutes with one 3 minute extension at discretion of Chair
Stemple asked Applicant representatives if they had anything to present. Mrs. Duane (Irene) Nugent stood and read from a prepared paper (attached to these Minutes) explaining their request to allow their lot to be designated in full as R3 Zoning in order to allow a land division which would allow them to sell one of the dwellings on the property to their daughter. She explained why circumstances had led them to this need to sell and have their daughter nearby. She said the request asks for only one minimum change: to allow home ownership for another person. She said the request will have no impact on their neighbors.

c. Staff report – Time Limit – 8 minutes with one 3 min. extension at discretion of Chair.
Already given verbally at the opening of the hearing, and provided in advance in writing to the members of the Zoning Board of Appeals.

d: Supporters

Each person wishing to speak in support of the variance will be given 3 minutes with one extension of 2 minutes at the discretion of the Chair.

No one else attended the meeting but the applicants, that is, the Nugents, and their daughter, and no communications of support, other than theirs, had been received.

e. Opposition

Each person wishing to speak in opposition to the variance will be given 3 minutes with one extension at the discretion of the Chair.

No one else attended the meeting but the applicants, that is, the Nugents, and their daughter, and no communications of opposition had been received.

f. Applicant Rebuttal – Time Limit – 3 minutes: None offered.

g. Staff Rebuttal – Time Limit – 3 minutes: None offered.

h. Supporter Rebuttal – Time Limit – 3 minutes: None offered.

i. Opposition Rebuttal – Time Limit – 3 minutes: None offered.

j. Additional discussion of this issue is at discretion of the Chair.

Members of the Zoning Board of Appeals asked and were answered various questions. Discussion was held revealing that the property has the ability to connect to Frankfort city and water but that the Nugents utilize their own septic and well system. There was further discussion of the R3 zoning district in general. Zoning Administrator recommended that when review of the Master Plan comes up again that it be better clarified about this zone and the properties within it. He also said his recommendation for the Nugent request is to make the portions of the property involved as R3 zoning, as the Applicant requested. His Staff Review and Report are attached to these minutes.

k. CLOSE PUBLIC PORTION OF MEETING:

Public portion of the meeting was closed by Chairman Stemple at 6:23 pm.

I. BOARD DISCUSSION/DELIBERATION

Wright had some comments about the history of the R3 district. No further discussion.

Marble moved that, based on presentations by the Applicant and the analysis presented by Staff, as well as the opportunity given for public input, I agree that R-3 zoning requirements should govern use of the parcel (ID 05-001-465-00). This is consistent with the Master Plan, is compatible with the residential use of the surrounding properties and will allow a land division to relieve the non-conforming condition. Stemple seconded. All ayes. Motion granting Applicant request passed.

Zoning Administrator told the Applicants that the next step is for him to issue a Decision and Order which will memorialize this decision and support your land division and that the Applicants should take care to include this documentation in the property deeds involved.

9. REQUEST FOR VARIANCE – MIKE PERRY 808 MICHIGAN AVE

a. Applicant requested postponement due to medical reasons.

b. SET DATE & TIME FOR MEETING

Possible dates given were Thurs. 6/2, Fri 6/3, Mon 6/6, Tues 6.15, Wed 6/25 Fri 6/17.

The members chose 6 pm, Wednesday, June 15, 2022 to take up the request from Mr. Perry.

In advance of that meeting, the Zoning Administrator provided the members of the Zoning Board of Appeals a number of documents and which are attached to these Minutes.

10. OTHER BUSINESS: None.

11. ADJOURNMENT

Stemple adjourned the meeting at 6:31 pm.

Respectfully submitted,
Jeannette Feeheley, Recording Secretary

Attachments to these Minutes:

- ZBA Public Hearing Meeting Agenda. pdf
- Nugent Request for Interpretation:
 - 202205-26 Nugent Findings w-att.pdf
 - Nugent Website Exhibit.pdf
 - Zoning Board Presentation by Mrs. Irene Nugent
- Perry Request for Variance, to be taken up at a meeting scheduled for June 15, 2022:
 - Perry Website Exhibit
 - 2022-05-18 Perry Letter to CLT_Hearing Date.pdf
 - 2022-05-23 Hood Gmail – Pro Variance request-Perry.pdf
 - 2022-05-23 Grabowski Gmail – Pro Variance request-Perry.pdf
 - 2022-05-25 Seabury-Marszal Gmail – Comments on Perry Variance_.pdf