



Meeting Minutes

Location:

Village Hall -
10631 Main Street
Roscoe, IL 61073

Zoning Board of Appeals
Wednesday, February 12, 2025
5:30 PM

CALL TO ORDER

The meeting was called to order at 5:30pm by Chair Durstock.

ROLL CALL

PRESENT

Chairman Jay Durstock
Member Laura Baluch
Member Dayne Mead
Member George Wagaman

ABSENT

Member Brad Hogland
Member Melissa Smith
Member Ryan Swanson
Village Clerk Stephanie Johnston

STAFF

Josef Kurlinkus - Village Administrator
Evan Hoier - Zoning Administrator (Vandewalle & Associates)

APPROVAL OF MINUTES

1. **Approval of the Minutes** for the meeting of the Zoning Board of Appeals from **December 11, 2024.**

Motion: A motion was made to approve the Minutes of the **December 11, 2024** ZBA Meeting.

No changes, additions, or corrections.

Motion made by Member Baluch, Seconded by Member Mead.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Wagaman

Minutes approved 4-0-0.

2. **Approval of the Minutes** for the meeting of the Zoning Board of Appeals from **January 8, 2025.**

Motion: A motion was made to approve the Minutes of the **January 8, 2025** ZBA Meeting.

No changes, additions, or corrections.

Motion made by Member Wagaman, Seconded by Member Baluch.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Wagaman.

Minutes approved 4-0-0.

NEW BUSINESS

3. ZBA 2025-003: **Discussion and Recommendation for Approval** of a **Replat** for the properties located at **10307 and 10375 Clearwing Lane** (PIN 08-05-104-016 & 08-06-231-002).

[Applicant: Joshua Petry]

Jeff Linkeheld, applicant's engineer with Arc Design Resources, Inc. presented on behalf of the applicant Josh Petry.

Mr. Linkeheld summarized his understanding of the history of "Lot A" of the Clearwing Subdivision was originally intended as a community center for the planned condo association, but never materialized. Currently, there are 12 different entities owning individual or multiple buildings within the development. Mr. Petry, who owns the property, is interested in developing a planned unit development to put in 24 units within the open lot. These units would be townhome-style, similar to those proposed in Hawks Point subdivision. The proposal includes 4 family buildings and 1 three-family building, with a private driveway and supplemental parking. The project also involves sewer and water extensions and replatting of Lot A as a PUD.

The Village's Zoning Consultant Evan Hoier presented the staff report on the proposal explaining his understanding of the lot, as being intended for open space, and explaining the need to justify waiving the park and open space dedication requirements for the proposed development. Mr. Hoier outlined three potential justifications: the village's need for affordable housing, the insufficient parcel size for meaningful recreation, and the surrounding development pattern with existing open space. Member Wagaman questioned whether the applicant should provide these justifications, but Evan clarifies that the Zoning Board of Appeals should make this determination.

The discussion revolved around the use of a vacant lot in a subdivision that was initially planned as a community center. Mr. Petry expressed their intention to repurpose the lot for multifamily use, which would provide a slightly different character than the surrounding lots but with less density. Administrator Kurlinkus clarified that the lot was never intended to be a public park and was not dedicated to the village, and that the subdivision was originally planned as condos. He also explained that under the current code, new subdivisions must provide parkland or a financial contribution for park development.

Mr. Hoier stated that Village Staff recommends approval of the plan, with the condition that revised plat documents must be filed with Winnebago County before any improvements are made, and the need for affordable housing. He noted that the final decision on the plan will be made by the Village Board of Trustees.

Mr. Linkenheld clarified that the property, which includes open lots and possibly detention areas, is currently not easily accessible for residents. The redevelopment plan includes the construction of rental units, possibly in the form of townhomes or stacked units, and clarified that the redevelopment plan does not involve low-income or section 8 housing, but rather market-rate housing. He emphasized the property's current status as private property was emphasized, with his understanding that it is not a public park or property owned by a condominium association.

Member Baluch stated that she had concerns over the lack of parkland, and requested additional information on the original history of the parcel. She requested that any decision be laid over so that staff could review historical minutes related to the development of the parcel and provide those to the ZBA so that they could make a better informed decision as to the original intent of the parcel.

Motion: A motion was made to lay over the two agenda items related to the properties located at 10307 and 10375 Clearwing Lane.

Motion made by Chairman Durstock, Seconded by Member Wagaman.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Wagaman

Motion Approved 4-0-0

4. **ZBA 2025-004: Public Hearing and Recommendation for Approval of a Planned Unit Development (PUD)** for the properties located at **10307 and 10375 Clearwing Lane** (PIN 08-05-104-016 & 08-06-231-002).

[Applicant: Joshua Petry]

Motion: A motion was made to lay over the two agenda items related to the properties located at 10307 and 10375 Clearwing Lane.

Motion made by Chairman Durstock, Seconded by Member Wagaman.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Wagaman

Motion Approved 4-0-0.

N.B. Motion, discussion, and approval of this item was made as part of the previous agenda item.

5. **ZBA 2025-005: Discussion and Recommendation for Approval of Final Plat 6 of Hawks Pointe Subdivision.** (PIN 08-06-101-009)

[Applicant: White Oak Trust (Joshua Petry)]

Jeff Linkeheld, applicant's engineer with Arc Design Resources, Inc. presented on behalf of the applicant Josh Petry.

Mr. Linkeheld discussed some of the background of the Plat 6 of Hawkes Pointe Subdivision and that the final site design was approved as part of a settlement agreement with Mr. Petry.

Mr Hoier discussed the plat being submitted and stated that the project also includes a park lot dedicated to the village, sidewalks, and a site screen fence, and that layout and landscaping plan meet the terms of the settlement agreement. The project is currently in the final engineering review stage before being presented to the Village Board for final approval.

Motion: A motion was made to recommend approval of the Final Plat 6 of Hawks Pointe Subdivision.

Motion made by Member Baluch, Seconded by Member Mead.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Wagaman

Motion Approved: 4-0-0

OLD BUSINESS

The members of the Board discussed the status of Plat 5 of Hawkes Pointe, and were informed by Mr. Linkenheld that it is currently being built out. He also mentioned that they are looking into the possibility of selling individual units in the development as condominiums or townhomes, rather than apartments, and that more information about this request will be forthcoming in future meetings.

PUBLIC COMMENT (Limited to 3 minutes per speaker)

Mike Sima spoke under public comment. He expressed concerns about the precedent set by approving a subdivision without public space and suggested the possibility of donating a lot for green space.

ADJOURNMENT

MOTION: A motion was made to adjourn the meeting.

Motion made by Member Baluch, Seconded by Member Wagaman.

Voting Yea: Chairman Durstock, Member Baluch, Member Mead, Member Wagaman.

The meeting was adjourned at 6:39 PM.