



**MINUTES OF THE SPECIAL JOINT MEETING  
ZONING BOARD OF APPEALS AND PLAN COMMISSION**

**VILLAGE OF TINLEY PARK,  
COOK AND WILL COUNTIES, ILLINOIS**

**APRIL 21, 2016**

A Special Joint Meeting of the Zoning Board of Appeals and Plan Commission was held in the Kallsen Center of the Village Hall on April 21, 2016 at 7:30 p.m.

**ROLL CALL**

Present were the following:

Zoning Board Members: Michael Fitzgerald  
Jennifer Vargas  
Chris Verstrate, Chairman

Absent Zoning Board Member(s): Paul Lechner  
Bob Paszczyk  
David Samuelson  
Steve Sepessy

Plan Commissioners: Ronald Bazan  
Kevin Bergthold  
Anthony Janowski  
Lori Kappel  
Peter Kroner  
Mark Moylan  
Ken Shaw  
Tim Stanton  
Ed Matushek III, Chairman

Village Officials and Staff: Michael Marrs, Village Attorney  
Jacob Vandenberg, Trustee  
Paula Wallrich, Interim Community Development Director  
Lisa Beck, Planning & Building Clerk  
Debra Kotas, Commission Secretary

**TO: VILLAGE OF TINLEY PARK PRESIDENT AND BOARD OF TRUSTEES**

**FROM: VILLAGE OF TINLEY PARK ZONING BOARD OF APPEALS AND PLAN COMMISSION**

**SUBJECT: MINUTES OF THE APRIL 21, 2016 SPECIAL JOINT MEETING**

ITEM #1: PRESENTATION ON ROLES, PROCEDURES, PRINCIPLES, AND RELATED ISSUES TO ZONING BOARD OF APPEALS AND PLAN COMMISSION

Consider receiving training from the Village Attorney on roles, procedures, principles and issues related to the Zoning Board of Appeals and Plan Commission. (No action will be taken as a result of this agenda item.)

**CALL TO ORDER**

The Special Joint Meeting of the Zoning Board of Appeals and Plan Commission was called to order at 7:31 p.m. by Ed Matushek III, Chairman.

**ROLL CALL**

Responding to roll call were the following:

Plan Commissioners:	Ronald Bazan Kevin Bergthold Anthony Janowski Lori Kappel Peter Kroner Mark Moylan Ken Shaw Tim Stanton Ed Matushek III, Chairman
Zoning Board Members:	Michael Fitzgerald Jennifer Vargas Chris Verstrate, Chairman
Absent Zoning Board Member(s):	Paul Lechner Bob Paszczyk David Samuelson Steve Sepessy

Members of the Zoning Board of Appeals, Plan Commission and Village Staff introduced themselves and each provided a brief summary of their qualifications. MARK MOYLAN, Plan Commissioner, welcomed new Zoning Board Members and Plan Commissioners. He proceeded to thank the previous Members and Plan Commissioners for their many years of service.

MICHAEL MARRS, Village Attorney, was in attendance to provide training and answer questions regarding the roles, procedures, principles, and related issues of the Village's Zoning Board of Appeals and Plan Commission.

He explained Tinley Park derives its zoning authority from the Illinois Municipal Code and as a home-rule community. MR. MARRS explained the benefits of home-rule with respect to zoning noting that home-rule allows the Village to self-govern rather than rely on State Statutes for exercising any power to protect the health, safety, morals, and welfare of the community. A manual was provided to all Members and Commissioners that included information regarding the following:

1. Zoning Law: Basic principles, common issues, and types of zoning relief;
2. Rules, Procedures, Responsibilities, Findings, and Motions;
3. Summary of Open Meetings Act; and,
4. Conflicts of Interest.

A copy of the Village's Zoning Ordinance had also been distributed. PAULA WALLRICH, Interim Community Development Director, presented the Village's Zoning Map noting it is also interactive on the Village's website.

MR. MARRS explained the Village is divided into various zoning districts including residential, commercial, and industrial, and the Zoning Ordinance sets forth permitted uses within each district. He proceeded to define and provide examples of zoning reliefs including: Special Uses, Variations, Map Amendments (also referred to as rezoning), and Text Amendments.

PETER KRONER, Plan Commissioner, questioned the consequences should an error occur and a change made to the verbiage from what was originally presented to what was voted on and approved. PLAN COMMISSION CHAIRMAN ED MATUSHEK III stressed it is the responsibility of members of the Zoning Board and Plan Commission to review thoroughly. MR. MARRS concluded it could be subject to challenge.

MR. MARRS highlighted the responsibilities of a member of the Plan Commission and Zoning Board of Appeals, including meeting attendance, knowledge of the Zoning Ordinance, and meeting preparation with review of the individual packets sent by Staff prior to a meeting. He stressed the importance of site visits. He noted additional training is also available.

MR. MARRS proceeded to review the public hearing process. He explained the order of presentation listed in the handout for a public hearing, which may be modified by the Chairperson.

ZONING BOARD OF APPEALS CHAIRMAN CHRIS VERSTRATE requested clarification if the public hearing must be closed before comments and deliberations by the Zoning Board. MR. MARRS noted the hearing should be closed ending the public comment portion and beginning deliberations.

MR. MARRS concluded the public hearing portion reporting a motion is ultimately made recommending approval or denial. MS. WALLRICH noted Staff assists in writing the motion, which is included in the Staff Report, typically presented in the affirmative with Members and Commissioners voting Aye or Nay.

With the Plan Commission and Zoning Board of Appeals being public bodies, MR. MARRS summarized rules regarding the Open Meetings Act. He requested each of the Members and Commissioners complete their online training within ninety (90) days.

MR. MARRS concluded his presentation discussing potential Conflicts of Interest. KEN SHAW, Plan Commissioner, requested clarification regarding reasons for recusal from a vote and its impact on a quorum.

MS. WALLRICH reviewed an average timeline of current Village processes from submittal to final approval for a typical project. She explained it is the responsibility of Staff to bring each project into its most approvable, compliant state before presentation to the Zoning Board and/or Plan Commission. She briefly reviewed the Zoning Ordinance and Legacy Code, explaining the differences between both.

MS. WALLRICH reviewed several examples of Staff Reports and what is typically included in the Staff Report including a copy of the application, comments from the reviews by other Village departments including Police, Fire, Public Works and Engineering, any open items, findings of fact that will be incorporated into record, and finally a sample motion. In an effort to eliminate the use of paper, she reported the packets containing the Staff Report and other supporting documents for each respective meeting are sent electronically to each Member/Commissioner and are also available on the Village website. Select Members/Commissioners elected to receive paper copies.

MS. WALLRICH reported Staff prepares the agenda for each meeting that is reviewed by the respective Chairperson prior to distribution. She noted Staff is also responsible for publication of the public hearing notices. She reported Staff will also email a meeting notice. MS. WALLRICH stressed the importance of responding to the email to ensure a quorum.

Prior to adjournment, questions and comments were received from members of the public body. MR. MARRS clarified that this was a Special Meeting where no business was being decided or vote taken; therefore, there will be no interaction between the public body and the Zoning Board Members and/or Plan Commissioners.

## **ADJOURNMENT**

A motion was made by PLAN COMMISSIONER ANTHONY JANOWSKI, seconded by PLAN COMMISSIONER KEVIN BERGTHOLD, to adjourn the Special Joint Meeting of the Zoning Board of Appeals and Plan Commission at 9:10 p.m.