



## *Village of Gilberts*

Village Hall: 87 Galligan Road, Gilberts, Illinois 60136

Ph. 847-428-2861 Fax: 847-428-2955

[www.villageofgilberts.com](http://www.villageofgilberts.com)

### **Village Plan Commission / ZBA Meeting Agenda**

**Wednesday, August 10, 2022 – 7:00 p.m. - Village Hall Board Room**

In accordance with recent amendments to the Open Meetings Act that authorize remote meeting attendance during the COVID-19 pandemic, the Chair of the Plan Commission has determined that it is not prudent or practical to conduct an in-person meeting for all members of the Plan Commission and the public due to the pandemic. Therefore, some or all of the Plan Commission members may attend this meeting by electronic means, in compliance with the amended OMA.

In order to comply with the Governor's executive orders regarding limitations on gatherings and to ensure social distancing, members of the public are encouraged to attend and participate in the meeting remotely via video or audio as follows:

Zoom (video and/or audio): <https://us06web.zoom.us/j/87699508026>

Meeting ID: 876 9950 8026

Dial-In (audio): (312) 626-6799

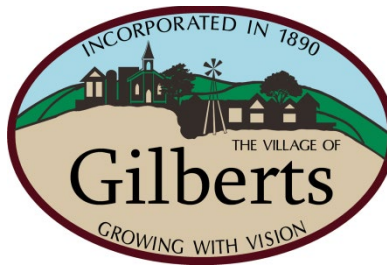
Members of the public can also submit written comments via email at [info@villageofgilberts.com](mailto:info@villageofgilberts.com). Any comments received by 5:00 p.m. on August 10, 2022 will be submitted into the record of the meeting.

#### **ORDER OF BUSINESS**

- 1. CALL TO ORDER**
- 2. ROLL CALL / ESTABLISH QUORUM**
- 3. PUBLIC COMMENT \***
- 4. ITEMS FOR APPROVAL**
  - A. A Motion to Approve Minutes from the April 13, 2022 Plan Commission/ZBA Meeting
- 5. PUBLIC HEARING AND RECOMMENDATION TO THE VILLAGE BOARD ON A TEXT AMENDMENT TO CHAPTER 9 OF THE GILBERTS UNIFIED DEVELOPMENT ORDINANCE REGARDING HEIGHT RESTRICTIONS ON FENCES**
- 6. NEW BUSINESS**
- 7. OTHER BUSINESS**
  - A. Village Administrator Report
- 8. ADJOURNMENT**

The Village of Gilberts complies with the Americans Disabilities Act (ADA). For accessibility Assistance, please contact the Village Clerk at the Village Hall, telephone number is 847-428-2861. Assistive services will be provided upon request.

\* Intended for public comment on issues not otherwise on the agenda.



**MINUTES FOR VILLAGE OF GILBERTS  
SPECIAL PLAN COMMISSION/ZONING BOARD OF APPEALS MEETING  
Village Hall: 87 Galligan Road, Gilberts, IL 60136  
Meeting Minutes  
Wednesday, April 13, 2022**

**1. CALL TO ORDER**

Chairman Mills called the meeting to order at 7:00 p.m.

**2. ROLL CALL / ESTABLISH QUORUM**

Village Clerk Courtney Baker called the roll. Roll call: Members present: Commissioners Page, Sullivan, Lateer, and Chairman Mills. Commissioners Borgardt, Del Vecchio, and McHone were absent. Others present: Village Administrator Brian Bourdeau and Village Attorney Kurt Asprooth.

**3. PUBLIC COMMENT**

There were no public comments at this time.

**4. ITEMS FOR APPROVAL**

A. A Motion to approve Minutes from the January 12, 2022 Plan Commission Meeting.

**A Motion was made by Commissioner Page and seconded by Commissioner Sullivan to Approve the Minutes from the January 12, 2022 Plan Commission Meeting.** Roll call vote: Commissioners Page, Sullivan, Lateer and Chairman Mills voted Aye. 0-nays. Motion carried.

**5. PUBLIC HEARING AND RECOMMENDATION TO THE VILLAGE BOARD ON AN APPLICATION FOR A SPECIAL USE CONCERNING THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF ROUTE 72 AND CENTER DRIVE (02-24-155-003)**

**A Motion was made by Commissioner Page and seconded by Commissioner Sullivan to open the public hearing.** Roll call vote: Commissioners Page, Sullivan, Lateer, and Chairman Mills voted Aye. 0-nays, 0-abstained. Motion carried.

Administrator Bourdeau advised the Commission that the Village received an application from the current owner of Gilberts Animal Hospital on the construction of a new facility. Per the GTC Annexation Agreement, the use of the property requires a special use permit.

The applicant's attorney provided a brief overview of the proposed facility. Commissioner Page inquired about the number of animals that would be allowed in the proposed private dog park. The applicant stated that there would never be more than 80 total dogs in the hospital and boarding facility,

and much less than that in the dog park at any given time due to the dogs needing the proper supervision.

**A Motion was made by Commissioner Page and seconded by Commissioner Sullivan to close the public hearing.** Roll call vote: Commissioners Page, Sullivan, Lateer, and Chairman Mills voted Aye. 0-nays, 0-abstained. Motion carried.

**6. RECOMMENDATION TO THE VILLAGE BOARD ON AN APPLICATION FOR A SPECIAL USE CONCERNING THE PROPERTY LOCATED AT THE NORTHWEST CORNER OF ROUTE 72 AND CENTER DRIVE (02-24-155-003)**

**A Motion was made by Commissioner Page and seconded by Commissioner Lateer to Provide a Positive Recommendation to the Village Board on an Application for a Special Use Concerning the Property Located at the Northwest Corner of Route 72 and Center Drive Subject to the Following Conditions: Comply with Plans Presented, Obtain all Necessary Permits, and the Applicant is to Provide Open-style Fencing as Approved by the Village Administrator.** Roll call vote: Commissioners Page, Sullivan, Lateer, and Chairman Mills voted Aye. 0-nays, 0-abstained. Motion carried.

**7. NEW BUSINESS**

There were no items to discuss at this time.

**8. OTHER BUSINESS**

Village Administrator advised the Commission the process for the Comprehensive Plan is currently underway and they are currently in the data gathering process. There is now a live website that will accept feedback.

**9. ADJOURNMENT**

There being no further public business to discuss, **a Motion was made by Commissioner Page and seconded by Commissioner Sullivan to adjourn from the public meeting at 7:25 p.m.** Voice vote of Aye carried unanimously. Motion carried.

Respectfully submitted,

Courtney Baker  
Village Clerk

VILLAGE OF GILBERTS  
PUBLIC NOTICE  
REGARDING A HEARING  
ON A PROPOSED  
AMENDMENT TO THE  
GILBERTS UNIFIED  
DEVELOPMENT  
ORDINANCE

PUBLIC NOTICE IS  
HEREBY GIVEN that the  
Village of Gilberts Plan  
Commission will conduct a  
public hearing on August 10,  
2022, at 7:00 p.m., at Gil-  
berts Village Hall, 87 Galli-  
gan Road, Gilberts, Illinois,  
to consider a text amend-  
ment to Chapter 9 of the Gil-  
berts Unified Development  
Ordinance ("UDO") regard-  
ing height restrictions on  
fences.

All persons interested in the  
proposed amendment may  
attend and will be given an  
opportunity to provide writ-  
ten and oral testimony. Ad-  
ditional information about  
the proposed amendment  
and the public hearing are  
available from the Village of  
Gilberts at (847) 428-  
2861. The public hearing  
may be continued from time  
to time without further pub-  
lic notice.  
Gilberts Plan Commission  
Village of Gilberts  
Published in Daily Herald  
July 25, 2022 (4585970)

## CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Fox Valley

# Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **Fox Valley DAILY HERALD**. That said **Fox Valley DAILY HERALD** is a secular newspaper, published in Elgin and has been circulated daily in the Village(s) of:

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Carpentersville, East Dundee, Elburn, Elgin, Geneva, Gilberts,  
Hampshire, Huntley, Lake in the Hills, Maple Park, Montgomery,  
North Aurora, Saint Charles, Sleepy Hollow, South Elgin, St Charles,  
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County(ies) of Kane

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the Fox Valley DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 07/25/2022 in said Fox Valley DAILY HERALD.

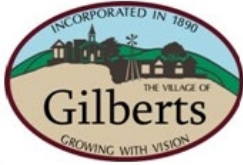
IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC.  
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BY

*Danila Baltz*  
Designee of the Publisher and Officer of the Daily Herald

Control # 4585970



## Village of Gilberts

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**To:** Plan Commission  
**From:** Riley Lynch, Management Analyst  
**CC:** Brian Bourdeau, Village Administrator  
**Date:** August 10<sup>th</sup>, 2022 Plan Commission Meeting  
**Re:** Item 5: Increasing the maximum fence height to 6ft.

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### **Background:**

The Village's Unified Development Ordinance (UDO) currently states that "*Except as otherwise expressly provided by this code, no fence shall extend to more than five feet in height*" (UDO 9-3C). This restriction of five feet tall fences typically refers to residential fences in backyards. Note that fences in front yards and patio/screening fences have their own regulations pertaining to height. The Village has received multiple permit requests for six-foot fences in rear yards. While not currently allowed but in response to interest, the Village surveyed surrounding communities to ascertain allowable fence heights. The communities in our immediate vicinity, including neighbors such as Hampshire, Huntley, Algonquin, and Elgin all allow six-foot fences in the rear yards.

### **Item for Consideration:**

The proposed text amendment before the Plan Commission would modify UDO Section 9-3(C) to allow for fences in residential zoned districts to be a maximum of six feet in height unless expressly provided for by the UDO.

*"For a text amendment, there are no specific findings of fact required for a requested zoning code text amendment, but the Plan Commission will evaluate the request against the intent of this code, the recommendations of the comprehensive plan, and the public health, safety and general welfare. The wisdom of amending the zoning map or the text of this code is a matter committed to the sound legislative discretion of the Board of Trustees."* UDO Section 10-11-9(E)(2).

### **Recommendation**

The Plan Commission is requested to provide a recommendation to the Board on the text amendment to increase the height fences, unless expressly provided for elsewhere in the UDO, in residential districts from five feet to six feet.