

**MINUTES OF A REGULAR MEETING OF THE
PLANNING & ZONING COMMISSION OF THE
VILLAGE OF SPRING GROVE
SEPTEMBER 1, 2010**

Council Chambers, Spring Grove, Illinois, September 1, 2010; a Regular Meeting of the Planning and Zoning Commission was held this date at 6:03 p.m., at the Municipal Centre, 7401 Meyer Road.

Roll Call. Roll call vote showed the following commissioners to be present at the meeting: Chairperson Mike Gajewski and Commissioners Joe Broz Sr., Mike Bukolt, Ed Glavin, Carla MacKey, and Lloyd Simonson - 6. Absent: Commissioner Bill Greenhill - 1. Also present for the Village were Sandi Rusher, Village Clerk; Scott Puma, Village Attorney and Trent Turner, Building and Zoning Officer.

Approval of the August 18, 2010 Regular Minutes. Commissioner Bukolt moved, seconded by Commissioner Glavin to approve the minutes from the August 18, 2010 meeting. All ayes, motion carried.

Public Hearing – Repealing and replacing the entire text of the current Zoning Ordinance of the Village with a comprehensive new Zoning Ordinance. Commissioner Bukolt moved, seconded by Commissioner Simonson to reconvene the Public Hearing. All ayes, motion carried. The hearing reconvened at 6:04 p.m.

The commission reviewed the recommended changes to the Zoning Ordinance starting with Article 1 – General Provisions and continuing through Appendix C, Lot Area, Yard and Bulk Regulations.

Article 1 – General Provisions. No changes.

Article 2 - Definitions and Administrative. No changes.

Article 3 – Enforcement. The following changes were recommended:

- **1531.1.A – Notice of Violation Procedures.** Amend the word “personnel” to “personal”.
- **1514.3.A - Penalties.** Amend the words “firm or corporation” to “or business entity” and add “by the Zoning Enforcement Officer” after “violation” in the second sentence.
- **1514.3.B - Penalties.** Amend the words “firm or corporation” to “or business entity”.



Article 4 – General Review Procedures.

- **1517.6.B.1 – Property Owner Notice.** The commission recommended language be added requiring the property owner of a multi tenant building to mail notice to all tenants on the subject property so other tenants are aware if a variance or special use permit is being sought. The notice to the tenants shall be made via first class mail. *It was questioned if this is necessary as the subject property is posted with a hearing notice sign.*
- **1520.8 – Permit Not Transferrable.** It was questioned if language should be included that a special use permit may be able to run with the land as opposed to the petitioner. After a brief discussion, it was the consensus of the commission to leave the language as is because the village has the ability to allow the special use permit to run with the land when granting a specific special use permit.

Article 5 – Zoning Classifications, Uses Permitted. The following changes were recommended:

- **1525 – Zoning Districts.** The Agritourism Overlay District that was inadvertently omitted from the proposed ordinance will be added as Section 1525.7.
- **1525.1 – A-1-Agricultural.** Amend the words “no odor producing items” to “odor producing items”.
- **1525.5 – “I” – Industrial.** Discussion ensued regarding separating the industrial zoning district into “light” and “heavy users”. It was explained that this was attempted in 2005, and the property owners objected. Staff spent a considerable amount of discussion on how to handle what they considered “heavy industrial users” from negatively affecting other users and residents. A majority of the businesses on Route 12, west of Spring Grove Road and along Holian Drive are zoned industrial and are adjacent to or in close proximity to residential developments. Staff’s concern is not with the current industrial users in the village but what would happen if a Scot Forge or similar business with a heavy punch press began operating in one of the above-mentioned locations. Staff proposed to segregate the industrial zoning district into “light” and “heavy” and prohibit heavy industrial uses but will allow existing businesses to continue to operate and expand within their said lot without obtaining a special use permit to do so. Should a “heavy” industrial user want to open a business they could ask for a text amendment to allow “heavy” industry with a special use permit. New definitions for “light” and “heavy” industry were prepared and found in Appendix A. *It was recommended “See Appendix A for definition of Industrial” be added to the end of this paragraph to direct people to read the definition.*
- **1527.2.A – Height Exemptions.** Delete the words “Radio and television” from the sentence to match the language in Appendix L, Accessory Uses.



- **1527.3 – Yard and Building Exemptions.** The following recommendations were made:
 - **Paragraph E.** Add the word “Village’s” between “the” and “Building”.
 - **Paragraph R.** Add the word “Village’s” between “the” and “Building”.
- **1528.2.A.4 – Nonconforming Lots.** It was suggested the language in this paragraph takes away the village’s rights and that it should just require a “Plat of Consolidation” to control the issue. Attorney Puma and Zoning Officer Turner explained the flavor of the ordinance is for existing nonconforming lots and not for conforming lots. Attorney Puma will look into adding language to require a “Plat of Consolidation” when conforming lots want to be consolidated to accommodate a larger home.
- **1530.5 – Spacing of Automobile and Truck Self Service Fueling Center.** It was questioned if this section should be moved to the special use standards for a “Self Service Fueling Center”. After discussion whether to remove this provision from the ordinance entirely, it was the consensus of the commission to leave it in and move it to the special use standards as a variance could be granted if need be.

Article 6 – Special, Temporary and Accessory Use. No changes.

Screening and Landscaping Chapter. This chapter was removed because it was incorporated into the village’s Landscape Code of the Municipal Code Book.

Article 7 – Off-Street Parking and Loading Standards. The following change was recommended:

- **1541.5 – Grading.** Add the word “hard” between “approved” and “surfaces”.

Appendix A – Definitions. The following changes were recommended:

- **Agritourism.** Concern was expressed with agritourism properties having attractions, i.e. zip line and ZURB rides, that do not meet or fall under the definition of agritourism. Further, it was questioned if these attractions are regulated, inspected, permitted or certified by a regulatory agency for safety. It was the recommendation of the commission to delete the words “, but are not limited to,” from the second sentence in the first paragraph to limited the uses allowed and not make the definition open ended.
- **Barber/Beauty Shop and Day Spa.** Consolidate and rewrite the definitions of “Barber/Beauty Shop” and “Day Spa” as they all offer the same and similar services.



- **Garden Center.** It was explained the definition spells out that a special use permit is required for the outdoor display, sale and storage of merchandise to prevent the abuse of such a use.
- **Industrial – Light.** Delete “(exceeding one thousand ton pressure)” from the last sentence of the definition as it is unnecessary because describing a punch press as “heavy” is sufficient.
- **Industrial – Heavy.** The definition states heavy industrial uses are prohibited because they could negatively affect other users and residents.

Appendix B – Uses Permitted by Zoning District. The Village Board is wrapping up their review of this appendix and will present it to the commission when they are finished.

Appendix C – Lot Area, Yard and Bulk Regulations. The height of the principal building was increased in the E-1, E-2 and E-5 zoning districts to accommodate a minimum of three (3) roof ridges on a house as required by the village’s Building Code.

<u>Zoning District</u>	<u>Current Height Allowed</u>	<u>Proposed Height Allowed</u>
E-1	35 ft.	40 ft.
E-2	35 ft.	40 ft.
E-5	35 ft.	45 ft.

- Amend the words “Appendix B” to “Appendix C”.

Motion to Continue Hearing. Commissioner Simonson moved, seconded by Commissioner MacKey to continue the public hearing until September 15, 2010 at 6:00 p.m. All ayes, motion carried. At the September 15th meeting, the commission will discuss the comments from the radio ham operators regarding the village’s antenna and tower language.

There being no further business before the commission, Commissioner MacKey moved, seconded by Commissioner Simonson to adjourn the meeting. All ayes, motion carried. Meeting adjourned at 8:18 p.m.

Respectfully submitted,

Sandi Rusher, Village Clerk