

**Village of Gurnee
Joint Plan Commission and Zoning Board of Appeals Meeting Minutes
May 27, 2009**

The meeting was called to order at 7:30 P.M.

Plan Commission Members Present: Chairman James Sula, Stephen Park, David Nordentoft, Gwen Broughton, Richard McFarlane, and Patrick Drennan

Plan Commission Members Absent: Sharon Salmons

Zoning Board Members Present: Edwin Paff, John Spadaro, Jerry Kolar, Denise Smith

Zoning Board Members Absent: Don Wilson, Mike Deimler, Chairman Tom Hood

Other Officials Present: Bryan Winter, Village Attorney; Tracy Velkover, Planning Manager; Molly Bacon, Associate Planner; Ryan Mentkowski, Associate Planner; David Ziegler, Community Development Director

1. Informal Discussion: Discussion of possible regulatory standards for incorporation into the Zoning Ordinance for the parking/storage of Recreational Vehicles and Haul Trailers on residentially zoned or used properties.

Chairman Sula stated tonight's meeting is an informal discussion and following the presentation to both Boards and the response of their comments and questions, the floor would be opened up to the public for questions and comments.

Ms. Tracy Velkover, Planning Manager presented slides which provided information as well as pictures of various recreational vehicles (RVs) parked on residential properties. She stated Staff has been directed by the Village Board to work with the PC and ZBA to examine possible regulatory standards for incorporation into the Zoning Ordinance for the parking/storage of Recreational Vehicles and Haul Trailers on residentially zoned or used properties. She stated that there are currently very few regulations in the Zoning Ordinance and Municipal Code regarding parking and/or storage of Recreational Vehicles in the Village and that any regulations in the Zoning Ordinance are approximately 30 years old. She stated that the Village has received complaints from residents about the parking/storing of these vehicles on residential properties.

Ms. Velkover stated the current Village of Gurnee regulations are as follows:

- The Zoning Ordinance requires vehicles to be parked on a hard surface pad and does not regulate location, size, or number of RVs on residential property.
- The Municipal Code prohibits the removal of wheels or other transportation device, regulates guest usage to no more than 30 days during a year with the potential for a 30 day extension, requires registration with the Community Development Director for guest usage, requires facilities used for guests to be open to inspection by the Community Development Director, and limits on-street parking to 1 hour.

Ms. Velkover stated that staff has done an inventory of Recreational Vehicles on residential properties which was completed in January and February of 2009. She stated that more than 330 properties have RVs and that some of the 330 properties had multiple RVs. She stated that the number of RVs is anticipated to be on the low side since some residents may store their vehicles off-site during the winter months.

Ms. Velkover stated that staff has also surveyed more than 30 communities' RV ordinances. Based on that research she stated that possible elements of the Recreational Vehicle Ordinances could contain the following:

- Definition of a Recreational Vehicle which she stated could be defined as *any vehicle or boat designed for temporary living quarters, recreation, or temporary human habitation and not used as a commercial vehicle, including but not limited to the following: Boat/Watercraft, Camper trailer, Motor Home, Off-the-road vehicle, Racing car or cycle, Snowmobile, Travel Trailer, Truck Camper, and Van.*

- Definition for Utility or Haul Trailer which she stated could be defined as a *vehicle, enclosed or non-enclosed, without its own motive power that is designed and constructed to transport another vehicle, such as a boat, motorcycle or snowmobile for recreational or vacation use, or to transport equipment and/or tools, such as lawn mowers, bobcats, etc., and that is eligible to be licensed or registered and insured for highway use. A utility or haul trailer with another vehicle(s) mounted on it shall be considered one vehicle.*
- Exemptions for certain RVs which she stated that typical exemptions included the following: loading and unloading of vehicles; for visitors and guests; and vehicles that are also used for residential transportation purposes (vans, truck campers)
- Locations where RVs would be allowed [Setbacks (front, corner side, rear and interior side); In relation to the house; Prohibit obstruction of pedestrian and vehicular traffic in the public R.O.W.]
- Size of RVs (Height; Width; Length), which she added that not all communities regulate RVs by size. She stated those that do tend to have regulations establish an upper size threshold and/or regulate allowable location based on size. She stated it is important to spell out how size (length, height & width) is measured to allow staff to gauge the size for conformance and follow-up with owners on any potential violations. She stated that using G.V.W.R to define the maximum size probably will not work because there are so many different models of RVs.
- Number of RVs on a property
- Screening of RVs
- Parking Surface on which RVs which she stated could include a clear definition of a hard surface to include asphalt, concrete pavers and crushed stone (with or without requirement of weed block). She also stated that the path surface material could be considered and whether or not to require a hard surface to be in place that takes the RV to the pad it is being stored on.

Ms. Velkover stated that the next step will include obtaining more input from the public on this matter. She stated staff will prepare a press release, send out a notice on the Village List Serve as well as the Village website to try to get as much public opinion for the next meeting. She also stated that staff has prepared a photo and written survey for the Plan Commission (PC) and Zoning Board of Appeals (ZBA) members that she would like returned to staff in order to gauge the overall direction of the RV ordinance from the PC and ZBA.

Ms. Velkover stated that she would propose to set a meeting date for June 24th at 7:30 p.m. so that staff can get that information out on the internet and in the press release to allow residents enough notice to be able to attend the meeting.

Village Attorney Bryan Winter noted a Park Ridge case that has recently occurred. He stated that he wanted the members of Plan Commission and Zoning Board of Appeals to focus on whether the survey would affect the points from the case law. He stated the purpose of the survey was to alert everyone that regulations may have an impact on some number of properties but not if the property can still accommodate recreational vehicle parking. He noted that some properties might be restricted, due to space, lot size, etc would. He noted that in the case law previously discussed, the Ordinance was found to be valid.

Chairman Sula asked Ms. Velkover what the total number of properties is in the Village of Gurnee.

Ms. Velkover responded approximately 10,500 residential properties.

Mr. Edwin Paff asked about the pedestrian right of way restriction being enforceable and the fact that his neighbor had a vehicle parked that was blocking the sidewalk which was not enforced.

Ms. Velkover responded vehicles cannot block the right of way.

Mr. Winter stated the obstruction of the right of way is an enforcement issue and the right of way line is basically one foot from a sidewalk.

Mr. Paff stated that he is concerned that the ordinance regarding parking in the right of way is not being properly enforced.

Mr. Winter stated it would appear there is a violation of the local ordinance and would need to be enforced. He noted that recreational vehicles are stationary for longer periods of times versus cars that are parked usually for shorter periods of time, where the status of conformance to violation can change quickly and frequently.

Chairman Sula stated Mr. Winter brings up a good point about stationary vehicles. He noted that they are of a semi-permanent nature and there for days or weeks and only used occasionally. He noted they could almost be considered as an accessory structure and perhaps should consider setbacks and screening as required by zoning.

Mr. McFarlane stated recreational vehicles can be difficult to screen. He also stated that structures (accessory) that are put up are usually more similar looking like the house, whereas the RV's wouldn't blend in as well and really stick out. He stated that having them in front is a problem for him.

Mr. Paff commented on screening of recreational vehicles compared to the screening required by sheds located on properties. He also asked what type of recreational vehicles had complaints.

Ms. Velkover responded most of the complaints were for large recreational vehicles.

Mr. Kolar asked if there was separation of the definitions of recreational vehicles and haul trailers.

Ms. Velkover responded that it is proposed as a separate definition for recreational vehicles and haul trailers but they could be regulated in the same way (i.e., size, location, screening).

Mr. Kolar said that he asked this question because haul trailers sit on property for years on end. He stated that haul trailers are more like "PODS" due to the length of time they are on the property.

Ms. Velkover responded that these can be regulated differently than RVs if that is the consensus.

Mr. Paff asked if there would be exemptions for loading of boats and trailers, as well as maintenance performed on these recreational vehicles.

Chairman Sula noted that when readying a boat and that boat is left parked on a street, it then can become a dangerous situation as there are no reflector lights on the boat.

Mr. Sula and Mr. McFarlane noted enforcement would need to be more diligent.

Ms. Velkover responded exemptions can and are usually included in an ordinance. Some ordinances even allow for seasonal exemptions; where RVs and boats are allowed on driveways during the summer months and snowmobiles are allowed on driveways during the winter months.

Mr. McFarlane stated his desire not to junk up the neighborhood.

Chairman Sula opened the floor to the public.

Ms. Margo Moran, 1112 Laurel Lane, stated that she owns a boat and that boat is parked in her driveway during the 'in' season months, but not on a year long basis. She stated the expense of parking the boat when not in use at another location would cost her money and she is unable to do that. She stated it is her right to park the boat properly in her driveway as she pays enormous taxes to live in Gurnee. She noted she is limited as to the amount of space in her backyard and property and that she was told on two separate occasions that the ordinance regarding the space in her backyard cannot change. She brought up the fact she needed 100% of their subdivision approval to move a fence so why do 3% of the people cause the ordinance to be changed. She asked why she has to be inconvenienced. She stated that she does agree that boats should not be parked in a driveway for long periods of time. She asked the commission to look at the percentage of persons affected, while she agreed the number of 330 is on the low side, she questioned why this is being brought forward for a

decision. She suggested to the Board the idea of requiring permits for certain sizes of recreational vehicles which would generate revenue for the Village. She asked where the restrictions are going to stop and when we are going to enforce the current ordinances and then move on to updating the other ordinances. She stated that you are taking away my legal rights to store a boat on their property and questioned what is really making the community look bad. She stated that it sounds to her like there is an ordinance and this needs to be more open to the public than it is right now. She stated she appreciated that someone stopped by and told her what is going on regarding this public discussion and was also told they had to have 500 homes to agree to pass an ordinance.

Chairman Sula clarified that the Plan Commission and Zoning Board of Appeals are not about revenue generation for the Village and discussions of generating revenue for the Village is not done at this level.

Mr. Jim Vielbig, 2008 Madison Avenue, asked if the Board can obtain a list of the ordinances and put them on the Village website. He stated he would be interested to see how other communities are handling this. He stated he has heard over and over again what the Board does must be enforceable. He stated that he knows it will be difficult for the Police Department to actually enforce this and noted there are a lot of areas in Gurnee that are not currently enforced. He stated he liked the idea of the size and length restriction. He stated that in regard to loading and unloading of an RV, this is fine as long as the recreational vehicle is not located on a driveway for 5-6 days as this is not considered loading / unloading. He stated that regarding setbacks, when vehicles are put right next to the house and jammed between houses it disrupts the vision of the area and does not look good.

An unidentified resident (Resident #3) stated that the definition being discussed doesn't seem to differentiate between a car and a recreational vehicle. He stated cars that don't move should be in the same category as a recreational vehicle. He stated that he understands the whole idea of preserving property values and is favor of temporary permits of 30 days, as they might help in providing people some leighway. He stated what happens if it rains all weekend and the RV cannot be cleaned out. He believed there is some flexibility needed to do what they need to do to maintain the RV in the neighborhood. He stated there needs to be a comprehensive plan related to the enforcement of the ordinance for vehicles blocking the sidewalks.

Mr. Rob Sandahl, 4053 Old Grand, stated that he currently works on his boat and goes once a week to the lake and fishes. He stated his boat is in the front yard, 37 feet to the roadway itself and is out of sight. He asked how this would be dealt with. He noted storage costs for his boat would be \$125.00 per month and is not able to afford that cost. He stated he cannot do screening higher than six feet and for total screening it would probably need a screen 9 feet in height. He stated his boat is always parked in the same space and is always moving. He stated there is no place around to park and store the vehicle where you can get in and get out and stated that it takes about 30 minutes to get everything into the boat where people can't see it and don't steal it. He stated most people already have their boats on the concrete pads. He stated that there are some people out there now other than the original survey.

An unidentified resident, (Resident #5), stated that he is concerned about the ordinance being 30 years old, and what he is seeing is taking an ordinance that isn't very restrictive and making the ordinance very restrictive. He stated his neighborhood shares his boat and if it was offensive, that he would do something about it. He stated that he does not believe this needs to be prescriptive as proposed. He stated he liked the idea of preserving property values and that should be the consideration. He also stated the goal should be to maintain the appearance of the community and that is what should be kept in mind. He stated that it would be best to leave the control to the people in the neighborhood. He lastly stated that affecting the aesthetics of the community and maintaining the appearance of the community is important to him.

Mr. Winter stated if regulations are imposed on RVs, there needs to be a sufficient grace period similar to that of the commercial vehicles because these RVs cannot be legal non-conforming vehicles. He stated that another comment from the public was to enforce the current ordinances that are in place before the board starts with new ordinances which infringe on person's right. He lastly stated he wants to see enforcement of fencing and mowing of areas.

Ms. Velkover mentioned that the commercial ordinance discussed goes into effect in September 2009.

Chairman Sula stated this is the beginning of the process which will be done efficiently and in a practical way.

Mr. Park stated this is a good start and the comments this evening are relevant. He stated this is a good base of information (surveys) and there needs to be more information obtained from people around the area. He stated that he likes his toys as well. He also noted revenue generation is totally irrelevant and the point that he wants to stress is the K.I.S.S (keep it simple) method so that staff can easily enforce the ordinance. He stated he deals with a lot of communities and does not feel that Gurnee is "big-brotherish". He stated that we need to ask whether we have a problem, and if so, how we solve it.

Mr. Sandahl asked if what the Village has right now doesn't meet Mr. Park's requirement for a simple ordinance; requiring RVs to be on a hard surface pad and out of the ROW. He asked what about the rest of the properties surveyed.

Chairman Sula stated this is not just for the 3-5% of the people who have the issue, and the Board needs to look at all the people in the Village of Gurnee and determine if we have a problem. He also stated that this needs to be balanced and the intent is to take in consideration what is best for the entire community.

Mr. McFarlane suggested having the survey accessible on-line via the server for people to fill out.

Chairman Sula asked Ms. Velkover to check on putting the survey of the RVs on the Village website. He then asked if the Boards accomplished their goal for the evening.

Ms. Velkover confirmed that the next meeting will be at 7:30 p.m. on June 24, 2009 to discuss the information further.

Chairman Sula stated the Boards will be going through this process and there will probably be at least 3-4 additional meetings for discussion.

The Meeting was adjourned at 8:45 P.M.

Respectfully Submitted:

Joanne Havenhill
Plan Commission Secretary