

**JOINT WORKSHOP MEETING OF THE
PLAN COMMISSION AND
ZONING BOARD OF APPEALS
April 8, 1998**

Zoning Board of Appeals Members Present: Ed Clark, Robert McDowell, Steve Amundsen, Frank Papp & Bill Finn

Zoning Board of Appeals Members Absent: John Marcinkus & Chairman Tom Hood

Plan Commission Members Present: Bryan Winter , Bill Smith, Krysti Kovarik & Chairman Don Rudny

Plan Commission Members Absent: Carl Cepon, Lyle Foster, Jim Sula

Other Officials Present: Tracy Velkover, Village Planner; Jon Wildenberg, Director of Building and Zoning; Lee Smith, Rolf Campbell & Associates; David Grum, Building Commissioner; and Dan Kolar, Building Inspector

1. The meeting was called to order at 7:00 p.m.
2. The March 4, 1998, Joint Meeting Minutes were approved by voice vote: All Ayes.
3. Regulations for Swimming Pools and Hot Tubs

A memorandum from the Building Department and a draft text amendment were reviewed (copies attached to and made a part of these minutes). Consideration of adopting pool protection requirements based on the BOCA code guidelines is requested.

Current zoning ordinance stipulates a 5-foot fence or other barrier to enclose a pool. Above ground pool walls cannot be counted as part of the barrier. BOCA provisions require a 4-foot barrier which may include above ground pool walls 4 feet or greater in height. Exceptions are made for small yard pools of various types. BOCA is a performance based, nationally researched code system which provides the homeowner with alternative methods to achieve an effective barrier. Research has found that 98% of pool accidents involve residents or visitors to a home, versus accidental trespass by children 5 years or younger.

There was a consensus to move ahead to consider a text amendment. A public hearing was set for May 6, 1998 at 7:00 p.m.

4. Setbacks for Gazebos

A draft amendment was reviewed (copy attached to and made a part of these minutes). The proposal is to allow gazebo structures attached to a home via a deck, to encroach into a rear yard building setback the same distance as a deck (i.e., 10 feet).

Current ordinance requires a gazebo to meet the same setbacks as the principal building if it is attached to the principal building. Decks may encroach 10-feet into a rear yard building setback. Often times a homeowner is looking to place a gazebo somewhere near the end of the deck. Allowing gazebos to encroach 10 feet into the rear yard setback affords better flexibility to residents planning an installation.

There was a consensus to move ahead to consider a text amendment. A public hearing was set for May 6, 1998 at 7:00 p.m.

5. C/B-2 Use List for Village Center Overlay District

An initial review of the C/B-2 use list was done. Direction on appropriate uses and size of uses is important to promoting a desired character for the overlay district. A survey to rank uses in the C/B-2 district will be sent to board members. This will help discussion focus on uses that are either: appropriate; inappropriate; or appropriate as a special use. Further discussion will also be needed to determine an appropriate maximum size of use within the overlay district. Suggestions range from 20,000 to 7,500 square feet.

The next workshop for the overlay district was set for April 29, 1998 at 7:00 p.m.

6. Other Business

Mr. Jack Weber from Shurguard Storage addressed the boards regarding his firm's interest in possible re-development of the former Hand Andy site in the east Grand Avenue area. Shurguard develops and operates self storage facilities. Current zoning on the site, C/B-2, does not accommodate self storage as either a permitted or special use. A rezoning to the I-1 district, which does allow the use, is not feasible as the site is not contiguous to I-1 zoned property. Shurguard is requesting guidance on how they may proceed.

There was some discussion of the site development particulars. Concerns were noted in regard to architecture, landscaping, signage, and overall operation of the facility.

A zoning methodology to address the use was discussed. There are concerns with the text amendment and similar and compatible use procedures as any changes would apply to all C/B-2 property in the community. The East Grand Avenue Overlay District may be a possibility; however, this consideration is quite some time off in the future.

The meeting was adjourned at 9:00 p.m.

Submitted by,

Jon Wildenberg
Director of Building & Zoning