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Combined Planning and Zoning Board
Tuesday, March 10, 2020 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:02 p.m. on Tuesday, March 10, 2020 in the Municipal Center by Acting Chairperson Gary Mack. Members present were Chairperson Steve Woodward (absent), Dirk Downen, Rita Green, Kevin Groth (absent), Gary Henning (absent), Gary Mack, Lee Smith (absent), Zoning Administrator Matt Trout and Office Manager Julie Polson. Guests present: Trustee Mike Heap and Mike Blaies. With 3 present and 4 absent, there was not a quorum.

PLAN COMMISSION:

A. Old Business:

1. Approval of February 25, 2020 Minutes: Minutes could not be approved due to the lack of quorum.
2. Zoning Code Review: Starting with Article II – General Zoning Regulations, this would be where we add estate lots. Mobile Housing was changed to Manufactured Housing.

40-2-5, Annexed territory: Dirk asked what happens if someone wants to annex in other than SR-1. Julie said this board will hear the request for a zoning amendment, and their recommendation would go to the Village Board for a vote.

40-2-10, Front setback: Rita asked if we removed setback as a definition, and we revised it to setback line at the last meeting.

40-2-12, Intrusions into yards: The committee discussed this section at length, specifically the issue of smaller yards where allowing these intrusions could leave very little room between the intrusion and property line. After a lengthy discussion, language was added after requirements: as long as no previous variance had been granted and is maintained at least 3 feet from the lot line. Under porches, remove at ground level. This is an area to be aware of when a building permit is requested and reviewed by the Zoning Administrator. A variance is only required if the feature is outside the maximum intrusion. Rita asked if there could be a minimum like with detached garage.

40-2-15, Accessory Uses: Rita wanted to change the definition of accessory use (1), from subordinate in size or purpose to subordinate in size and purpose. Gary felt we should leave it as is because that makes the definition more broad in scope. Rita doesn't remember seeing a restriction that the building has to be smaller than the principal structure. Matt confirmed it is noted under the accessory use definition. Belleville makes you build your primary structure first. Matt feels we need to protect ourselves moving forward. Rita feels we should have something in our code that states no accessory structure will be allowed unless the principal structure exists. Matt discussed whether this should be applied under the agricultural lots. He feels it should be restricted in every zoning district and then come in for a variance if needed. Added under General

Limitations, (4): The principal structure must be constructed prior to constructing the accessory structure.

40-2-16: Matt said under Setbacks, he added #3 which reads: Accessory structures must be at least 10 feet from the primary structure. Matt said a lot of communities are doing this so it avoids a building being set right next to the primary structure and be more spaced out. It might not work on the smaller lots in town. Rita has seen it used so people couldn't connect the accessory structure to the primary structure and consider it all one structure.

Dirk questioned 40-2-16 (A)(1) where it states a maximum of one incidental structure such as a shed for storage, potting, tools, etc. per unit shall be allowed as an accessory use per one and two family dwelling excluding the agriculture district. He also mentioned 40-2-16(A)(3) where it states, one detached garage or covered carport shall be allowed as an accessory structure per one and two family dwelling. If he has a duplex, does that mean one potting shed and one garage for each unit? Mike Blaies said a lot of duplexes have a carport and then a shed attached to the back of the carport. Matt said in his mind, this is in place to eliminate a number of small sheds on the property. Dirk said there is a limit, you can have a garage and one accessory structure, so that is two you are allowed to have. The way this reads, he can have two of those per two-family dwelling, not per unit. Dirk said he's on the fence of whether it should be a garage per unit or per building. To Gary, he thinks it should be per dwelling. Under 40-2-16(A)(3), added unit at end of sentence. Rita asked about the front yard issue, and Dirk said it is under the setback restrictions, 40-2-16(C)(1).

40-2-16(C)(1), Setbacks: Currently it reads, no accessory use in any zoning district shall be located in any part of any front yard that is required because of the setback regulations of such district. All other setback requirements are established in the area-bulk schedule in Section 40-2-17. Rita said we are talking about the potential space between the front of the house and the building line. Gary doesn't think we should have anything there and Matt agreed. Rita said this is supposed to be a standard for the majority of the village. This was changed to read: No accessory use in any zoning district shall be located between the front lot line(s) and the principal structure. All other setback requirements are established in the area-bulk schedule in Section 40-2-17.

40-2-18, Parabolic or Dish-Type Antennas: Dirk said certain vendors have distance limitations so if you have a sprawling building, you need more than one dish. Currently, screening is deemed necessary for commercial installations. Necessary if the zoning administrator believes so. Matt believes this section of the code is irrelevant. Item (K) that dealt with a violation of the Code and was removed.

40-2-19, Single Side Yard; Special Use Permit: Dirk feels the 1,000 square feet required floor area is too big. Matt said this doesn't say footprint, but this is a whole. For accessory buildings, we used footprint. The garages, open porches, cellars and basements are not included. Matt would like to see something like this with a minimum square footage requirement in single family in general. Matt said around 1,000 square feet is where he is thinking. This is something the committee can think about. Rita thinks the average house being built is about 1500 square feet. If we go larger than that, we could have more issues down the road.

The solar section is pretty new and Matt thinks we are good with that. We will start with Planned Development next.

B. New Business:

BOARD OF APPEALS:

A. Old Business: None.

B. New Business: None.

C. General Concerns: None.

D. Public Participation: None.

E. Adjourn: *Gary Mack motioned to adjourn the meeting at 7:55 p.m. and Rita Green seconded the motion. All voting yea, the motion carried.*



Julie Polson
Office Manager