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# VILLAGE OF FREEBURG

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Eugene Kramer

ZONING ADMINISTRATOR  
Matt Trout

VILLAGE ATTORNEY  
Weilmuenster & Keck, P.C.

Combined Planning and Zoning Board  
Tuesday, June 23, 2020 at 6:00 p.m.

The meeting of the Combined Planning and Zoning Board was called to order at 6:00 p.m. on Tuesday, June 23, 2020 via the Zoom Application by Chairperson Steve Woodward. Members present were Chairperson Steve Woodward, Dirk Downen, Rita Green, Kevin, Groth (absent), Gary Henning, Gary Mack, Lee Smith, Zoning Administrator Matt Trout, Village and Office Manager Julie Polson (absent). Guests present: Trustee Mike Blaies and Trustee Mike Heap.

## PLAN COMMISSION:

### A. Old Business:

Zoning Administrator Matt Trout advised he and Village Administrator Tony Funderburg are going to meet with a gentleman who wants to build individual villas at the front of Timberwolf and Loan Oak Subdivisions. The land would need to be rezoned and it would eliminate the ATM. Steve said they questioned at the beginning why would we have business lots out that far. Matt is curious as to the layouts of the villas. Lee believes the village is short on land for business development and would be willing to hear the proposal. The other item is a house for sale on the north end of town, and a gentleman would like to open a wood working shop in the shed which would require a home occupation. The land is currently zoned agriculture with .89 acres, and the land around it is as well and is located in the village. There would be no traffic and he will be the only one working. Steve commented long-term, this property would be considered highway business according to the Comprehensive Plan.

1. Review of Zoning Code: Appendix F – Table for Principal and Accessory Uses: Anything in red is new, black is currently in the code. Matt added the supplemental regulations information in.

### Principal Residential Uses:

**Assisted Living Facilities:** Gary Mack does not see the assisted living, community residence or community group residence compatible with an SR-1 or SR-2 district. He does not like the idea of mixing businesses with homes. Steve said you cannot keep a community residence for people with disabilities out of a SR-1 or SR-2 district. Dirk feels a special use might fit. Steve does not think assisted living belongs in an SR-1 or SR-2 district. Dirk commented there is a lot of traffic with those facilities. The current group home is in a highway business area. The committee discussed making these uses allowable as a special use in certain districts. That request would come to this board where you could set guidelines and then onto the village board for their decision. The special use runs with the property. Lee and Smith felt it should be rezoned if the parcel was ag. Lee said our ag areas are not improved and might not have any utilities. The committee suggested MR-2, MH-1 and B-2 for Assisted Living Facilities.

**Community Residence:** 8 or less residents with disabilities. This and community group should be zoned the same to include A, SR-1, SR-2, MR-1, MR-2, and add B-2.

Community Group Residence: More than 8 residents with disabilities with same zoning districts as community residence.

Convalescent Care: MR-2, MH-1 and B-2.

Long-term Care Facility: Same as Assisted Living.

Dwelling Condominium (up to 2 units): Dirk asked isn't this effectively a duplex, and the committee agreed. Dirk said would we then allow it as a special use in an SR-1 district. Also, what is the difference between a dwelling condo and a house. Gary Mack said you don't own the ground in a condo. Steve said if it's two units now, it is a villa. Rita has never seen a condo development that was 2 units. Committee agreed with table.

Dwelling- Condominium: Steve asked if we need a detached condominium definition, and the committee did not make a decision. Matt doesn't think a condo fits in SR-1 or SR-2 and the committee agreed.

Dwelling-Single-Family Attached (Villa): Rita asked if this was the same a dwelling-two family. Matt thinks the duplex is one owner of the whole building. Our definition of a villa includes the lots are owned by separate owners. Add MR-1 as permitted by right. Rita questioned whether a special use under SR-1 and SR-2 should be a planned use rather than a special use if the villas are attached. The committee agreed.

Dwelling-Two Family (Duplex): Dirk believes this definition fits more towards a rental situation, whereas a villa has a zero lot line with two owners. We could add with single ownership to the duplex definition. Rita suggested adding Sr-1 and SR-2 as special uses.

Existing Residential Dwellings: Take off.

Loft: Change from S to P in B-1, B-2 and I-1.

Modular Homes (ICC Compliant): Change from S to P

Public Parks and Recreation: Change B-2 to use permitted by right.

**Principal Non-Residential Uses:**

Bed and Breakfast: Took out SR-1 use.

Business or Vocational School: took out SR-1 through MH-1 as permitted by a special use.

Community Center: took out SR-1 use.

Construction Sales & Service: Committee discussed the I-1 and I-2 "S" designation and left it that way so the type of special use could be controlled. The industrial park grant only applies to the first owner of the property.

Convenience Shops (Small drugstore, small food store, laundromat): Changed MR-2 and MH-1 to planned.

Institutions: Gary Mack commented if you are going to include not-for-profit, that could be a rehab place. Matt believes the intention of this would be for a church camp.

Limousine business: Added as a use permitted by right in I-1.

Office, data storage: Took out of SR-1, changed to special use for SR-2, MR-1, MR-2 and MH-1.

Places of Public Assembly: Took out any use in A. Added as a use permitted by right to B-2 and I-1.

Produce Stand, Temporary: Added as a use permitted by right to B-1 and B-2 and as a special use in I-1 and I-2.

Public Service (Other than Freeburg): Added as special use in all categories.

Quick Shop: Does not sell gasoline, and a convenience store does.

The next meeting will be held July 7<sup>th</sup> at 6:00 p.m.

**B. New Business:** None.

**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 6:23 p.m. and Dirk Downen seconded the motion. All voting yea, the motion carried.*



Julie Polson  
Office Manager