VILLAGE PRESIDENT
Seth Speiser

VILLAGE CLERK
Jerry Menard

VILLAGE TRUSTEES
Mike Blaies
Ray Matchett, Jr.
Lisa Meehling
Denise Albers
Michael Heap
Bob Kaiser

VILLAGE TREASURER
Bryan A. Vogel

VILLAGE OF FREEBURG

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Michael J. Schutzenhofer

ESDA COORDINATOR
Eugene Kramer

ZONING ADMINISTRATOR
Matt Trout

VILLAGE ATTORNEY
Weilmuenster & Keck, P.C.

February 21, 2020

NOTICE

MEETING OF THE COMBINED PLANNING AND ZONING BOARD

The Combined Planning and Zoning Board meeting has been scheduled for **Tuesday, February 25, 2020 at 6:00 p.m.**

I. Items to be Reviewed
PLAN COMMISSION:

A. Old Business
1. Approval of February 11, 2020 Minutes
2. Zoning Code Review

B. New Business:
1. Edison Estates Engineering Plans

BOARD OF APPEALS:

A. Old Business:

B. New Business:

C. General Concerns:

D. Public Participation

E. Adjourn

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Combined Planning and Zoning Board
Tuesday, February 11, 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, February 11, 2020 in the Municipal Center 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 and Office Manager Julie Polson (absent). Guests present: Ryan and JoEllen Boike, John Dittman, Butch and Nancy Kehrer, Keith Mitchell, Elaine Speiser, Trustees Mike Heap and Mike Blaies.

PLAN COMMISSION:

A. Old Business:

1. Approval of January 14, 2020 Minutes: *Gary Mack motioned to approve the January 14, 2020 minutes and Gary Henning seconded the motion.* All voting yea, the motion carried.

Zoning Administrator Matt Trout commented we had some good discussions at the last meeting regarding our zoning code review and need to move forward with this. He has a proposal to send our suggested revisions to Municode and they would get our zoning code online as a searchable document. He reminded everyone that he has previously sent out the zoning code revisions but can do so again. We were going to send off for a legal review, but they don't look at any state or federal laws, they only look for discrepancies in our own code. We are not going to pay $7,000 for that. A full legal review would cost about $30,000. Rita and Dirk felt we needed to meet on a more regular basis to get this accomplished. Matt said that he is frustrated because he has sent out his suggested changes several times asking and not received any response.

Rita asked how we go about rezoning areas from SR-1 to SR-2, and Matt said you would have to change the comprehensive plan. Steve also said he wanted to look at another zoning classification in between SR-1 and Ag, for large estate lots in the future. Lee is interested in the SR-2 and also a mixed used option. Rita asked if the comprehensive plan can be amended, and Matt will check. Matt confirmed it is a legal document. Dirk felt we should focus on the code first. Gary Mack said we can work on the code to address the problems we need to and use the code to make sure there are certain requirements being met. This would address the immediate issues and anticipate problems that might come up. Rita would like to see more backup material provided with the variance applications and felt a surveyor should be utilized and Mike Heap agreed. The variances granted also need to be enforced to make sure they were built according to the variance granted. Matt advised he does verify where new homes are placed according to their permit application. Matt said that most of the time it is not feasible for the village to write ordinance violations due to the costs to fight it in court. Steve commented that we need to see drawings to scale.

The next scheduled meeting was set for February 25, 2020 at 6:00 p.m.

B. New Business: None.

BOARD OF APPEALS:

A. Old Business: None.

B.

C. New Business:

1. Ryan and JoEllen Boike Area Bulk Variance Request: Chairperson Woodward read the notice and swore in those individuals wishing to speak. Mr. Boike advised they purchased property outside Freeburg, and would like to move the existing home on that property to Walnut Street. They want to put a foundation in, upgrade the exterior and are requesting a variance to be able to do so. To keep the front setback of 25 feet, they would need a variance of the rear setback from 25 feet to 18 feet. Mr. Kehrer asked if the home would be 7 feet from his fence, and Chairperson Woodward advised it would be 18 feet from his fence. Mr. Kehrer asked about a deck, and Mr. Boike said he would probably put in a concrete pad and is not planning on a deck. Mr. Kehrer is not opposed to the 18-feet setback request. Zoning Administrator Matt Trout commented he received several calls about putting a mobile home on the lot. He also said he doesn't see how a house could be built on the property without a variance due to the lot size and setback requirements. Rita Green said there are many houses on smaller lots than this, and Matt stated most of those were before the zoning code and most of them don't meet the setback requirements. Steve said we have talked about changing some of the setback requirements in the older section of town. Chairperson Woodward discussed moving the house forward, and Matt said we can only address the variance as published. If they wanted to add a deck, they would need another variance. John Dittman asked if there will be a basement, and the Boike's advised there will be a full basement.

   Gary Henning motioned to grant the area bulk variance as requested and Lee Smith seconded the motion. **ROLL CALL VOTE:** Rita Green – no; Lee Smith – yes; Gary Mack – yes, he doesn't like variances, but believes this is a good use of the property rather than see it sit vacant; Gary Henning – yes; for those same reasons, and also believes the structure of house will increase property values; Dirk Downen – yes; Kevin Groth – absent; Steve Woodward – yes; in this situation, it is the best use for this piece of property. With 5 yes votes, 1 no vote, 1 absent, the motion carries.

   Gary Mack motioned to close the hearing at 6:20 p.m. and Dirk Downen seconded the motion. All voting yea, the motion carried.

C. General Concerns: None.

D. Public Participation: None.

E. Adjourn: *Gary Mack motioned to adjourn the meeting at 7:04 p.m. and Dirk Downen seconded the motion.* All voting yea, the motion carried.

Julie Polson

Transcribed from tape by
Julie Polson
Office Manager