

**VILLAGE of SUGAR GROVE  
PLAN COMMISSION/ZONING BOARD of APPEALS  
MINUTES of APRIL 20, 2011**

**1. CALL TO ORDER**

The meeting of the Sugar Grove Plan Commission / Zoning Board of Appeals (ZBA) was called to order at 7:00 p.m. by Chairman Irv Ochsenschlager in the Village Hall Board meeting room.

**2. ROLL CALL**

Plan commission/ZBA members present:

Irv Ochsenschlager, Don Meisinger, Mary Heineman, and Dave Paluch  
John Guddendorf arrived late.

Absent: Ryan Reuland and Jim Eckert

Also present: Mike Ferencak, Village Planner

**3. APPROVAL OF MINUTES of the MARCH 16, 2011 MEETING**

Motion made by Ms Heineman and seconded by Mr. Meisinger to approve the minutes of the March 16, 2011 Plan Commission meeting with changes from Mr. Eckert including on page 4 under 'B', 2<sup>nd</sup> sentence where he questioned the lighting, add 'for security purposes.'; add to the next sentence, 'staff will look into it'. In the next sentence change the word 'was' to 'were'. **The motion carried by unanimous voice vote.**

**4. APPROVAL OF MINUTES of the MARCH 30, 2011 MEETING**

Motion made by Mr. Paluch and seconded by Mr. Meisinger to approve the minutes of the March 30, 2011 Plan Commission meeting as presented. **The motion carried by unanimous voice vote.**

**5. PUBLIC HEARINGS**

**a. Petition 10-005: Accessory Uses and Temporary Uses – Zoning Ordinance Text Amendment (Village of Sugar Grove)**

Chairman Ochsenschlager called the public hearing to order and swore in anyone there to testify. Mr. Ferencak stated no public comment was received and staff is recommending the public hearing be closed.

**No other public comment was made. A motion was made by Ms Heineman and seconded by Mr. Paluch to close the public hearing. The motion carried by unanimous voice vote.**

**6. Old Business**

7. **New Business**

**a. Petition 10-005: Accessory Uses and Temporary Uses – Zoning Ordinance Text Amendment (Village of Sugar Grove)**

Mr. Ferencak explained that the proposed changes before the Commission are to the Accessory Use section of the Zoning Ordinance. The proposed updates to the Temporary Use portion will be brought to the next meeting. Both of these updates are part of a larger ongoing update to the Zoning Ordinance. Staff intends to continue to bring various updates of the Zoning Ordinance forward to the Commission as they are ready.

Staff is asking for a recommendation to the Village Board on this section. Ms. Heineman recommended that the accessory uses listed be alphabetized for organization and ease in locating sections. Also if the location of a structure doesn't meet the definition of an accessory structure then it should be specifically excluded and included or matched up with wording somewhere else with other specifications (example was a detached garage being placed closer to the principal structure than 10').

Under business districts, outdoor seating would be required to have some fencing and/or screening from traffic.

The chart was reviewed, it's hard to understand. Clarifications are needed so the public will be able to understand the intent. Staff's intention was to include more types of accessory uses for the public to find in the code and also indicate whether they are allowed, allowed with a special use or not allowed in the code. The letters across the top right are the zoning districts. Change the spacing to have the entire district name (A-1) on the same line and place a key on the same page to decipher the meanings of each including the allowance, P, S and N. Change the P for permitted to an A for allowed. Add a space after the Uses, before the Structures. Mr. Eckert left comments to change more of the N's to S's in the commercial districts to allow them in special instances due to the wide scope of different businesses that may come to the Village. A Drive-thru is a good example of this; changing it to an S so it can be considered per a specific request.

Outdoor storage listed here is for commercial, not residential. Staff will cross reference with the section of the code that covers residential to see how they vary and align.

The items listed in the chart with a 'P' do not necessarily need a building permit. Permitted means allowed, not needing a building permit. Discussion is needed to decide if the Village Board needs to review any request for special use for these accessory structures / uses like for a Principal structure / use request; or if the Plan Commission or staff may be able to make the determination.

This chart doesn't indicate if a building permit is required or not, that's determined by the other sections of the Village Code and the Building Code. The Commission

asked that an additional indication be included for building permit requirement for each structure. Mailboxes, the installation requirements, jurisdiction and building permit requirements were discussed. The building code is the mechanism that controls pools and ponds and the barrier requirements for them. Temporary as a term was reviewed with regard to above-ground verses in-ground pools. Temporary is a word with the intent similar to one moment it is not there and then the next moment it is but can be removed just as quickly.

The lot coverage section continues to limit the amount of coverage (for greenspace) per individual zoning districts. It also limits the number of accessory buildings allowed per lot, but doesn't limit the number of accessory uses or accessory structures. In this section we will add references to the individual zoning districts' lot coverage requirements. This section would also be increasing the square footage maximum for accessory buildings from 700 to 1000 s.f. or 70% of the footprint of the principal building, whichever is less. This should allow for more flexibility.

The zoning map and districts were reviewed and discussed.

In section B, add 'or located with 10' of principal building'.

Flagpoles, signs, satellite dishes and maybe more need to be noted as still being an accessory use even though they may be attached to the principal structure.

This section of the code has many items that have their own separate section of the code (ie, fences, signs, etc) so this needs to be as clean and specific as possible to tie all sections together properly.

The general reason for listing some of the items under accessory structures is to clarify that they can only be in the rear or side yards, not front. It was felt that basketball hoops and trampolines could be allowed as part of a temporary use permit for businesses in exception instances like company picnics.

Chairman Ochsenschlager would like a clean copy brought back to the commission at the next meeting for review. Then they'll make a recommendation to the Board.

**6. PLAN COMMISSIONER COMMENTS, PROJECTS UPDATES and MISCELLANEOUS INFORMATION**

**769 N Heartland Drive** – Division One Fitness is relocating with a special use to this address and has removed the existing sign at the building. They are in the process of moving in.

**1960 Bucktail Lane** – Producer's Chemical is preparing to move in and updating building plans for a building permit application.

**1961 W. US Highway 30** – Scot Industries is currently updating their plans working towards a building permit for their addition.

**McDonalds** – Building permit should be ready for release later this week.

**Good bye** to Dave Paluch moving up to a Village Trustee. He will submit resignation when sworn in.

**7. ADJOURNMENT**

**Ms Heineman made a motion, seconded by Mr. Meisinger, that the meeting be adjourned at 7:47 pm.**

**The motion carried unanimously by voice vote.**

Respectfully submitted,  
Holly Baker  
Substitute Recording Secretary