

Call to Order

Chairman Susanke called the Planning and Zoning Commission meeting to order at 7:30 p.m.

Recognition of New Commissioner

Chairman Susanke introduced Ryan Kaufman, the newly appointed member of the Planning and Zoning Commission. Mr. Kaufman was duly sworn in by the Village Board last September.

Roll Call

Present were Chairman Susanke and Commissioners Gilmore, Haley, Kaufman, Kotleba and Shore. Also in attendance were Community Development Planner Jennifer Becker and Community Development Director Cathleen Tymoszenko.

Pledge of Allegiance

Commissioner Susanke led those in attendance in reciting the Pledge of Allegiance.

Approval of Agenda

MOTION: Commissioners Shore and Kotleba moved and seconded to approve the agenda. The motion carried by unanimous roll call vote.

Approval of Minutes – Commissioner Shore moved and Kotleba seconded to approve the minutes of the August 28, 2008 meeting without amendment. The motion passed unanimously.

Questions from the Audience - None

New Business

**Public Hearing
Petition 01-09
Continued Discussion on
Accessory Uses**

MOTION: The public hearing was opened by unanimous roll call vote. Ms. Becker confirmed publication in the newspaper.

Chairman Susanke read background on the continued discussion of accessory structures. The staff memo outlined the history of the text amendments to the accessory use portion of the ordinance ending with the most recent public hearing last August. The

Commission's recommendation has not yet been forwarded to the Board, and in the meantime Ms. Becker relayed that staff has uncovered another error in the ordinance relating to the setbacks of accessory structures in Section 10-3-9 C 2. The Commission discussed the various setbacks contained in the estate residential districts and how the setbacks differ from the 50 foot minimum set forth in the existing ordinance.

Commissioner Gilmore brought up the fact that the building separation minimum of three feet recommended by the Commission last August would allow a larger detached garage within 3' of a principal structure, which should be discouraged. He suggested that language be added to Section 10-3-9- C1 which eliminates the possibility of this occurring. The Commissioners concurred that this should be added to the text recommended for amendment to the Board.

MOTION: Commissioner Shore moved and Commissioner Haley seconded to recommend that Section 10-3-9 C1 be modified to read as follows:

*"An accessory building or structure **containing less than 220 square feet** shall not be closer to the nearest wall of the principal building than three feet (3'), **or ten feet (10) for accessory structures containing more than 220 square feet**, and only if all aspects of the shed conform to applicable building and fire codes. Size limitations on accessory buildings in any permitted area subject to provisions of 10-3-9-F of this Chapter."*

The motion passed unanimously.

MOTION: Commissioner Gilmore then moved and Commissioner Shore seconded to recommend that Section 10-3-9 C2 be modified per the staff memo of April 22, 2009 to read as follows:

*"An accessory building or structure shall not be located in a required front yard or a required side yard. An accessory building or structure shall not be located **less than one hundred (100) feet from a front lot line in the RE-1 District, seventy five (75) feet in the RE-2 and RE-3 Districts and fifty (50) feet from a front lot line in all other districts, except for a fence, which is regulated by section 9-1A-7 of this code. In no event shall an accessory building have a front yard of less than the actual front yard of the principal building located on said lot.**"*

The motion passed unanimously.

Commissioner Shore moved and Commissioner Kotleba seconded adjournment of the meeting. The motion was carried by unanimous voice vote at 8:20 pm.

Respectfully submitted,

Leah M. Stuertze, Acting Secretary