KENDALL COUNTY
ZONING BOARD OF APPEALS
111 West Fox Street • Room 209 and 210 • Yorkville, IL • 60560
(630) 553-4141 • Fax (630) 553-4179

AGENDA

December 8, 2014 – 7:00 p.m.

CALL TO ORDER – ZONING BOARD OF APPEALS

ROLL CALL for the Zoning Board of Appeals: Randy Mohr (Chair); Scott Cherry, Karen Clementi, Tom LeCuyer, Donna McKay, Dick Thompson and Dick Whitfield

MINUTES: Approval of minutes from the October 27, 2014 Zoning Board of Appeals meeting

PETITIONS:

1. **14-32 Bryan & Lindsey Harl**
   - Request: Variance
   - Location: 3416 Route 47, Yorkville
   - Purpose: Request for a variance to construct an accessory structure that will be located in the 150’ setback to the centerline of the roadway. The structure will be located 68’ from the current centerline of the roadway, requesting an 82’ variance.

2. **14-35 Daron & Kimberly Spicher**
   - Request: Rezoning
   - Purpose: Rezone 3 acres of property from A-1 to R-1 to build a house
   - Location: South side of Plattville Road, east of Ashley Road in the Village of Plattville

3. **14-36 Bridget Carlsten**
   - Request: Variance
   - Location: 9950 Lisbon Road, Yorkville
   - Purpose: Request for a variance to construct an accessory structure/shed that will be located in the 150’ setback to the centerline of the roadway. The structure will be located 80’ from the centerline of the roadway.

4. **14-33 Bee Keeping**
   - Request: Text Amendment
   - Purpose: Text Amendment to allow bee keeping in the residential (R-1, R-2 and R-3) districts

5. **14-37 Home Occupations- Landscape Businesses**
   - Request: Text Amendment
   - Purpose: Text Amendment to not allow landscape businesses as home occupations

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD: None (just variances in October)

NEW BUSINESS/ OLD BUSINESS
Review and approve 2015 meeting dates

PUBLIC COMMENT

**ADJOURN ZONING BOARD OF APPEALS:** Next meeting on February 2, 2015
CALL TO ORDER
At 7:00 p.m., Chairman Randy Mohr called the Zoning Board of Appeals meeting to order.

ROLL CALL
Members present: Randy Mohr (Chairman), Karen Clementi, Tom LeCuyer, Donna McKay (Vice-Chair), Dick Thompson & Dick Whitfield
Also present was: Planning & Zoning Manager- Angela Zubko
Absent: Scott Cherry
In the audience: Catherine & David Katz & Lindsey and Bryan Harl

A quorum was present to conduct business.

MINUTES
Karen Clementi motioned to approve the September 29, 2014 ZBA meeting minutes with the minor corrections Ms. Clementi emailed to Planner Zubko. Tom LeCuyer seconded the motion. All were in favor and minutes were approved.

Chairman Mohr swore in anyone interested in talking at this meeting.

PETITIONS
#14-31 Catherine & David Katz- Variances
Planner Zubko stated the property is located at 29 Oak Hill Road in the Oak Hill subdivision on the east side of Oak Hill Drive about 0.09 miles south of Pleasantview Drive. The petitioner is requesting four variances to fix a violation and issue that has been going on for a while. Request for variances for a home that was built in 1959 to be located 66’ from the front property line, 6.07’ from the side property line, 22’ from the rear property line and the deck to encroach into the 15’ easement by 4’. The setbacks are 67’ from the front property line, 17.8’ (10% of the lot width) from the side property line and 50’ from the rear lot line.

The Oak Hills subdivision was platted in 1956 and River View Heights directly east of this property was also platted in 1956.

Apparently this subdivision has been incorrect since it was built. There are so many iron pipes due to the many lot lines and the surveyors starting at different locations it was not realized till 2006. That is when the neighbor at 23 Oak Hill Drive complained a deck was built on 29 Oak Hill that encroached onto their lot line. It became a civil matter between the two neighbors. Since then Catherine & David Katz have acquired 23 Oak Hill and would like to resolve the issue. They have drawn up a new plat showing the new lot line change and requesting variances to get everything cleaned up.

Staff would recommend approval of the variances.
Donna McKay got some clarification with regards to the lot line and the two existing homes.
Chairman Mohr opened the meeting for public testimony. Mr. Whitfield asked some questions about the deck. With no further testimony Chairman Mohr closed the testimony.

The Findings of Fact were reviewed for a variance, they were approved as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The property has a house that was constructed in the 1950's. Once the homeowner built a deck that put the deck onto the northern property line. It took years for the current owners to own both pieces of property to fix this issue.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. To date no issues like this have ever come up.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The surveyors messed up the pins back in the 50's.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. This will fix a violation that has been ongoing. The only people it would affect is the property to the north which the same petitioners own.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. This variation will not impair an adequate supply of light or air to adjacent properties as everything is already constructed. It will also not increase the congestion in the public streets or increase the danger of fire or public safety.

With no further discussion Dick Whitfield made a motion, seconded by Donna McKay to approve the findings of fact as written and the variances were passed. All were in favor and the findings of fact and variances were approved.

**#14-32 Bryan & Lindsey Harl- Variance**

Planner Zubko stated the property is located at 3416 Route 47 on the east side of Route 47 about 0.1 miles north of Kennedy Road. The petitioner is requesting a variance to construct an accessory structure that will be located in the 150’ setback to the centerline of the roadway. The structure will be located 108’ from the current centerline of the roadway, requesting a 32’ variance (68’ from the property line).

This property is very unique in its pie shape so really only have 3 sides. To the west is Route 47 which is being evaluated to be widened. The plans have been assessed and the house will remain if the road is widened. To the north is the Blackberry Creek and to the east is a subdivision but it is heavily wooded along the property line. The petitioner is also trying to preserve as many trees as possible and utilize the existing driveway.

Staff would recommend approval of the variance.

Mr. Harl introduced himself and stated he would like to build an accessory structure to store his boat and some other items. He would prefer not to park the boat in the grass. The structure will match the same color as the house and the structure will be about 14’ tall with 10’ eaves. He stated he will also be adding some landscaping around the new structure.
Chairman Mohr opened the meeting for public testimony.

Ms. McKay asked about some clarification about the existing driveways. Mr. Mohr asked about the size of the building which Mr. Harl stated would be 30’x40’. Mr. Harl showed some pictures of what is would look like.

Joan Hafenrichter introduced herself and stated her concern is when they widen the highway they would be putting up a sound barrier wall like in Oswego and wondering where that is going to go on this lot. Also she asked if this would be used for retail at all. The group discussed IDOT’s plans and the future ROW.

With no further testimony made, Chairman Mohr closed the testimony.

The Findings of Fact were reviewed for a variance, they were approved as follows:

That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The shape of the property is such that the proposed area is the most feasible and visually appealing area for the proposed building. The area to the east of the main structure is exceptionally narrow, making placement unfeasible. Further north on the property is a flood plain area, is low lying, and offers no access via a driveway to access the structure. A gravel or paved drive through the east or west side of the main structure to access the building if it were placed to the north would also subtract from the visual appeal of the property.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Many A-1 zoned properties have a more rectangular shape, making a building as proposed more feasible in more than one area of the property. The shape of the property, the location of the low lying areas prone to flooding, and the aesthetics of the property deem placement of the proposed building best suited to the proposed location.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The property was purchased on August 25\textsuperscript{th}, 2014 long after the house was built (1978).

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The approval of the variance will not be detrimental to the public welfare, or substantially injurious to the neighborhood. The property is heavily wooded and special use has been taken to ensure the majority of the trees remain, which will surround the proposed building.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The proposed building is a tasteful, aesthetically pleasing building designed to increase the functionality of the property. The building will be used to store vehicles, and a boat; which would otherwise be parked on the property. Careful planning has been completed to place the proposed building in an area where mature trees will surround the building. Light and air supply will not be impaired to adjacent properties. Entries and exits to all surrounding properties, including the property in question, will be unaffected. Public streets and traffic will not be affected.
With no further discussion Karen Clementi made a motion, seconded by Dick Whitfield to approve the findings of fact as written and approve the variance. With a roll call vote of 5-1 were in favor and the findings of fact and variance were approved. Mr. Mohr voted no that the building of that size does not match the character of the neighborhood.

REVIEW PBZ APPROVALS BY COUNTY BOARD & CHANGES - None

NEW BUSINESS/ OLD BUSINESS – The ZBA asked about the hearing last month and what the petitioner ended up doing.

PUBLIC COMMENT - There were no members in the audience to comment.

ADJOURNMENT OF THE ZONING BOARD OF APPEALS - Next meeting will be on December 8, 2014

Karen Clementi made a motion to adjourn the ZBA meeting, Donna McKay seconded the motion. Chairman Randy Mohr adjourned the Zoning Board of Appeals meeting at 7:33 p.m.

Respectfully Submitted,
Angela L. Zubko
Planning & Zoning Manager & Recording Secretary
SITE INFORMATION

PETITIONERS  Bryan & Lindsey Harl

ADDRESS  3416 Route 47, Yorkville

LOCATION  On the east side of Route 47 about 0.1 miles north of Kennedy Road

TOWNSHIP  Bristol

PARCEL #  02-21-178-001

LOT SIZE  2.15 Acres

EXITING LAND USE  Single Family Home

ZONING  A-1 Agricultural

LRMP

<table>
<thead>
<tr>
<th>Land Use</th>
<th>County: Suburban Residential</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Route 47 is classified as an arterial roadway.</td>
</tr>
<tr>
<td>Trails</td>
<td>There is a proposed trail on the west side of Route 47.</td>
</tr>
</tbody>
</table>

REQUESTED ACTION

Request for a variance to construct an accessory structure that will be located in the 150’ setback to the centerline of the roadway. The structure will be located 68’ from the current centerline of the roadway, requesting an 82’ variance.

APPLICABLE REGULATIONS

§7.01.G.2.b (A-1 Setbacks: Accessory Structures)
§13.04 (Variations)
<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
</tr>
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<tbody>
<tr>
<td>North</td>
<td>Blackberry Creek</td>
<td>A-1</td>
<td>Suburban Residential</td>
<td>A-1; Yorkville</td>
</tr>
<tr>
<td>South</td>
<td>Residential</td>
<td>R-3</td>
<td>Suburban Residential</td>
<td>Yorkville</td>
</tr>
<tr>
<td>East</td>
<td>Residential</td>
<td>R-3</td>
<td>Suburban Residential</td>
<td>R-3; Yorkville, R-1; A-1</td>
</tr>
<tr>
<td>West</td>
<td>Farmland</td>
<td>A-1</td>
<td>Commercial</td>
<td>A-1; R-1; Yorkville</td>
</tr>
</tbody>
</table>

**REQUESTED ACTION**

Request for a variance to construct an accessory structure that will be located in the 150' setback to the centerline of the roadway. The structure will be located 68' from the current centerline of the roadway, requesting an 82' variance.

This property is very unique in its pie shape so really only have 3 sides. To the west is Route 47 which is being evaluated to be widened. The plans have been assessed and the house will remain if the road is widened. To the north is the Blackberry Creek and to the east is a subdivision, but it is heavily wooded along the property line. The petitioner is also trying to preserve as many trees as possible and utilize the existing driveway.

**FINDINGS OF FACT**

§ 13.04.2 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are as follows:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out.* The shape of
the property is such that the proposed area is the most feasible and visually appealing area for the proposed building. The area to the east of the main structure is exceptionally narrow, making placement unfeasible. Further north on the property is a flood plain area, is low lying, and offers no access via a driveway to access the structure. A gravel or paved drive through the east or west side of the main structure to access the building if it were placed to the north would also subtract from the visual appeal of the property.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. Many A-1 zoned properties have a more rectangular shape, making a building as proposed more feasible in more than one area of the property. The shape of the property, the location of the low lying areas prone to flooding, and the aesthetics of the property deem placement of the proposed building best suited to the proposed location.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The property was purchased on August 26th, 2014 long after the house was built (1978).

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The approval of the variance will not be detrimental to the public welfare, or substantially injurious to the neighborhood. The property is heavily wooded and special use has been taken to ensure the majority of the trees remain, which will surround the proposed building.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The proposed building is a tasteful, aesthetically pleasing building designed to increase the functionality of the property. The building will be used to store vehicles, and a boat; which would otherwise be parked on the property. Careful planning has been completed to place the proposed building in an area where mature trees will surround the building. Light and air supply will not be impaired to adjacent properties. Entries and exits to all surrounding properties, including the property in question, will be unaffected. Public streets and traffic will not be affected.

RECOMMENDATION

Staff would recommend approval of the variance to construct an accessory structure that will be located in the 150' setback to the centerline of the roadway. The structure will be located 68' from the current centerline of the roadway, requesting an 82' variance.

ATTACHMENTS
1. Plat of Survey
SITE INFORMATION

PETITIONERS  Daron & Kimberly Spicher

LOCATION  On the South side of Plattville Road, about 0.3 miles east of Ashley Road

TOWNSHIP  Lisbon

PARCEL #  08-11-100-017 (10 Acres)

SIZE  The location of rezoning will be 3 acres of the 10 acre property.

EXISTING LAND USE  Farmland/Trees

ZONING  A-1 Agricultural

LRMP

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Plattville: Low Density Residential</th>
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</thead>
<tbody>
<tr>
<td>Roads</td>
<td>Plattville Road is designated as a major collector roadway</td>
</tr>
<tr>
<td>Trails</td>
<td>None</td>
</tr>
</tbody>
</table>

FUTURE LAND USE PLANS  The requested zoning change to R-1 is consistent with the Village of Plattville’s comprehensive Plan.

REQUESTED ACTION  The Petitioner is requesting approval of a Map Amendment to rezone
3 acres of a 10 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property.

**APPLICABLE § 8.02 of the Zoning Ordinance (Residential District)**

**REGULATIONS § 13.07 of the Zoning Ordinance (Amendments)**

### SURROUNDING LAND USE

<table>
<thead>
<tr>
<th>Location</th>
<th>Adjacent Land Use</th>
<th>Adjacent Zoning</th>
<th>LRMP</th>
<th>Zoning within ½ Mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Low Density</td>
<td>A-1</td>
</tr>
<tr>
<td>South</td>
<td>Agricultural</td>
<td>A-1</td>
<td>Low Density</td>
<td>A-1</td>
</tr>
<tr>
<td>East</td>
<td>Single Family Home</td>
<td>A-1</td>
<td>Low Density</td>
<td>A-1; R-4</td>
</tr>
<tr>
<td>West</td>
<td>Single Family Home</td>
<td>A-1</td>
<td>Low Density</td>
<td>A-1</td>
</tr>
</tbody>
</table>

### PHYSICAL DATA

**Endangered Species Report**

The Illinois Natural Heritage Database contains no record of State-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves in the vicinity of the project location.

**Natural Resources Inventory**

- Land Evaluation: 95
- Site Assessment: 101
- TOTAL: 196
- Level of Protection: LOW

### ACTION SUMMARY

**Township (Lisbon)**

The township is deciding if they need to discuss this project since it is in the Village of Plattville and on a County Highway.
Municipal (Plattville)  This will go to their Village Board after all our committees for the final vote.

ZPAC (11.3.14)  The Committee recommended approval. The only comment was that they needed an access variance from the Highway Committee which was granted on 11.10.14. The curb cut was put in 2 years ago to access the alfalfa field and an accessory structure they built 2 years ago. This curb cut will be the same they use for the home.

STAFF ANALYSIS

Proposed Use  The petitioners have indicated they intend to construct a single-family dwelling unit on the 3 acre parcel if the map amendment request is approved.

Lot Size  The County’s Zoning Ordinance states that the R-1 District may be appropriate in any area suggested for residential use on the County’s LRMP with a minimum square footage of 130,000 square feet (2.995 Acres). The requested 3 acres to be rezoned meets the minimum requirements of the Zoning Ordinance.

Findings of Fact  § 13.07.F of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant a map amendment. The petitioner & staff have answered as follows:

Existing uses of property within the general area of the property in question. The existing 10 acres if farmed with Alfalfa hay crop. There is one pole building for machinery and crop storage. Properties on the east and west are 5 acres each; the east has a house site with approximately 2 acres of crop. The west is a property with a pole building and some landscape trucks. To the north and south are crops.

The Zoning classification of property within the general area of the property in question. The zoning classifications within the general area are currently A-1 with R-4 to the east about 0.5 miles.

The suitability of the property in question for the uses permitted under the existing zoning classification. The petitioners would like to rezone part of their property to R-1 in order to build a house. The property must be rezoned to build a home. The property is used for alfalfa fields.

The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was in its present zoning classification. The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R-1 District shall be considered the highest classification and the M-2 District shall be considered the lowest classification. The trend of development in that area is agricultural with residential houses. The rezoning to R-1 should have little impact on further development with the area as it would be consistent with surrounding area and the Village of Plattville’s future plan.
Consistency with the purpose and objectives of the Land Resource Management Plan and other adopted County or municipal plans and policies. Adding a residential home in the area is consistent with the Community Development master plan in Plattville.

Recommendation: Staff would recommend approval of the requested Map Amendment to rezone 3 acres of a 10 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property.

Attachments:
1. ZPAC Meeting minutes on 11.3.14
2. Plat of Survey
ZONING, PLATTING & ADVISORY COMMITTEE (ZPAC)
November 3, 2014 – Meeting Minutes

Planner Angela Zubko called the meeting to order at 9:01 a.m.

Present:
Aaron Rybski – Health Department  
Brian Jahp – Sheriff’s Office  
Brian Holdiman - Building Inspector  
Fran Klaas - County Highway Department  
Angela Zubko – PBZ Planning & Zoning Manager

Absent:
Megan Andrews – Soil & Water Conservation District  
Greg Chismark – Wills Burke Kelsey  
Scott Gryder – PBZ Member  
Jason Petit - Forest Preserve

Also present: Daron Spicher

AGENDA
A motion was made by Fran Klaas to approve the agenda as written, Aaron Rybski seconded the motion. All were in favor and the motion carried.

MINUTES
Bran Japh made a motion, seconded by Aaron Rybski, to approve the September 2, 2014 meeting minutes as written. All were in favor and the motion carried.

PETITIONS

#14-35 Daron & Kimberly Spicher
Planner Angela Zubko did an overview of the request stating the property is located on the south side of Plavette Road, about 0.3 miles east of Ashley Road. The petitioners are looking to rezone 3 of their 10 acre property from A-1 agricultural to R-1 Single family. The petitioners have indicated they intend to construct a single-family dwelling unit on the 3 acre parcel if the map amendment request is approved. This property is in the Village of Plavette so it goes through our 3 meetings and then onto the Platville Board instead of our County Board. The township is deciding if they would like to discuss this matter since it’s a county roadway and in the Village of Plavette. There are no endangered species on the property.

Staff would recommend approval of the requested Map Amendment to rezone 3 acres of a 10 acre parcel from A-1 (Agricultural) to R-1 (One-Family Residence District) to build a home on their property.

Fran Klaas stated when they know the location of the driveway the petitioners will need to seek an access variance from the County Board because it’s too close to the neighbor to the west. Mr. Spicher stated the County has put in a driveway and they plan to utilize that drive.

Brian Jahp had no comments at this time.

Aaron Rybski stated the well and septic permit will come through their office and if they need any help to please contact their office.

Brian Holdiman stated a building permit will be required when the petitioner is ready to build the home.

With no further comments Aaron Rybski made a motion, seconded by Brian Jahp to approve the map amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

ZPAC Meeting Minutes 11.3.14
SITE INFORMATION

PETITIONERS: Bridget Carlsen
ADDRESS: 9950 Lisbon Road, Yorkville
LOCATION: On the east side of Lisbon Road, about 0.02 miles north of Walker Road

TOWNSHIP: Kendall
PARCEL #: 05-19-300-003
LOT SIZE: 0.97 Acres
EXITING LAND USE: Single Family Home
ZONING: A-1 Agricultural

LRMP

<table>
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<tr>
<th>Land Use</th>
<th>County: Rural Residential</th>
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<tr>
<td>Roads</td>
<td>Lisbon Road/Eldamain Road is classified as an arterial roadway.</td>
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<tr>
<td>Trails</td>
<td>There are no proposed trails.</td>
</tr>
</tbody>
</table>

REQUESTED ACTION: Request for a variance to construct an accessory structure that will be located in the 150’ setback to the centerline of the roadway. The structure will be located 83’ from the current centerline of the roadway, requesting a 67’ variance.

APPLICABLE REGULATIONS:

§7.01.G.2.b (A-1 Setbacks: Accessory Structures)
§13.04 (Variations)
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<th>LRMP</th>
<th>Zoning within ½ Mile</th>
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<tbody>
<tr>
<td>North</td>
<td>Residential</td>
<td>A-1</td>
<td>Rural Residential</td>
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**REQUESTED ACTION**

General Request for a variance to construct an accessory structure that will be located in the 150’ setback to the centerline of the roadway. The structure will be located 83’ from the current centerline of the roadway, requesting a 67’ variance.

This property is on Lisbon Road which someday might be part of the Eldamain extension. The Highway Department would like the structure to be as far back as possible due to possibly widening in the future which is why it shows 80’ on the site plan. 83’ is as far back as possible due to an existing shed and the rule of a 10’ separation of buildings. Also to note the house north of this property is about 75’ from the centerline of the roadway so most likely during the widening they would not want to acquire any homes. The estimation is about 60’ from the centerline might be needed if the road is widened. The Highway Department is fine with the 83’ setback.

This structure will be used for personal use only for professional dog training. She will be training her dogs to compete in dog shows.

**FINDINGS OF FACT**

§ 13.04.2 of the Zoning Ordinance outlines findings that the Zoning Board of Appeals must make in order to grant variations. They are as follows:

*That the particular physical surroundings, shape, or topographical condition of the specific property involved would result in a particular hardship or practical difficulty upon the owner if the strict letter of the regulations were carried out. The entire lot is 165’ wide from the centerline of the roadway. To comply with a 150’*
setback from the centerline of the roadway would be impossible.

That the conditions upon which the requested variation is based would not be applicable, generally, to other property within the same zoning classification. It really depends on when the house was built and roadways. For example the properties north and south of this property might also request a variance in the future. The house north was built in 1908.

That the alleged difficulty or hardship has not been created by any person presently having an interest in the property. The home was built in 1966 which is when I'm going to assume the lot was created as well, before any zoning restrictions existed.

That the granting of the variation will not materially be detrimental to the public welfare or substantially injurious to other property or improvements in the neighborhood in which the property is located. The approval of the variance will not be detrimental to the public welfare, or substantially injurious to the neighborhood. Locating the building north of the house will be less intrusive then south of the house due to the location of the home to the south. The home to the north is further away.

That the proposed variation will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in the public streets or increase the danger of fire, or endanger the public safety or substantially diminish or impair property values within the neighborhood. The proposed building will not impair an adequate supply of light and air to adjacent properties and the public streets and traffic will not be affected.

RECOMMENDATION

Staff would recommend approval of the variance to construct an accessory structure that will be located in the 150' setback to the centerline of the roadway. The structure will be located 83' from the current centerline of the roadway, requesting a 67' variance.

ATTACHMENTS

1. Plat of Survey
Plat of Survey


Commonly known as 9950 Lisbon Road, Yorkville.
P.L.N. 05-19-300-003

[Diagram of land survey with markings and annotations]

Scale: 1" = 30'
F.P. = Found Pipe

State of Illinois 
County of Kendall

By, [Signature]
Surveyor, Illinois
Licensed Land Surveyor No. 8447
License Expires Nov 30, 2012

Filed No. 11-040-112 Prepared for Herbert & Eickman, LLP of Aurora

True North
Surveying & Mapping, Ltd.
Chicago 60654-2521
MEMORANDUM

To: RPC  
Date: November 24, 2014  
Re: Text Amendment – Bee Keeping in Residential Districts (Petition 14-33)

A couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee.

Conditional Use in the R-1, R-2 and R-3 Districts

Beekeeping with the following conditions:

a. Beekeeping and the honey produced from beekeeping shall be for personal use only
b. Annual permit required with fee of $50 the first year the permit is issued and $25 each year after
c. Minimum lot size of 1 acre (43,560 square feet) with a maximum of 2 colonies.
d. No colony shall be permitted within a front yard setback
e. All colonies must be setback at least 30' from any rear or side yard lot line except when abutting a right of way of a street or railroad the colony must be a minimum of 5' from the rear or side yard lot line (as long as there is no sidewalk or pathway).
f. All colonies within 100' of an adjoining home shall require a flyway barrier with a 6' minimum height
g. All colonies shall require a minimum 4' fence surrounding the perimeter of the colonies or surrounding the perimeter of the entire property. Fencing must have a locking gate with caution signage on each gate.
h. Notification shall be sent by permit applicant to all adjacent property owners. Notification shall be sent via certified mail or certificate of mail and proof of mailing shall be submitted to the PBZ Department. Any property owner who receives notification shall have 14 calendar days from the postmarked date to send written objection to the Planning, Building, and Zoning Department. If any such objection is received, no colony shall be located within 100' of the adjoining home of objected property owner.
i. Prior to submitting a renewal application, an applicant is permitted to resend notification to a property that has previously objected. If the property owner does not object within 14 calendar days after receiving the resent notification, the applicant may locate a colony within 100' of the residence of the previously objecting property but shall maintain a distance of at least 30' from all property lines at all times unless abutting a right of way in which the colony can be placed with 5' of the property line.
j. The Zoning Administrator has authority to approve all new and renewal permits. If the Zoning Administrators receives information that a renewal applicant has violated any of these requirements, caused injury to the public, impacted the safety and health of the public, or has had an adverse affect on surrounding properties as a result of keeping
bees on the subject property, the Zoning Administrator may, at his or her discretion, deny the renewal application.

k. Any decision made by the Zoning Administrator may be appealed in writing to the Planning, Building, and Zoning Committee, with the appropriate administrative appeal fee.

l. A site plan indicating the location and distance to property lines and adjacent residences shall be submitted to the PBZ Department with the application.

m. Proof of Apiary Registration with the Illinois Department of Agriculture shall be submitted to the PBZ Department within 30 days of the application submittal.

n. All approved permits shall comply with the Bees and Apiaries Act of Illinois (510 ILCS 20)

Please review and provide Staff with comments during the meeting. Should you have any questions prior to the meeting, please contact me at 630-553-4139.

Attachments:
1. Matrix of what other municipalities and County's are doing
2. Pictures of what they look like
3. Information about flyaway barriers
5. Illinois State Beekeepers Association BMP's
6. ZPAC Minutes on 11.3.14
## Beekeeping in Residential Districts

<table>
<thead>
<tr>
<th>Municipality/County</th>
<th>Allowed in Residential</th>
<th>License Required</th>
<th>Minimum Lot Size</th>
<th>Setbacks</th>
<th>Flyway Barrier</th>
<th>Notification</th>
<th>Signage</th>
<th>Water Source for Bees</th>
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<tbody>
<tr>
<td>Yorkville</td>
<td>Yes&lt;sup&gt;A&lt;/sup&gt;</td>
<td>Yes Anually ($25)&lt;sup&gt;B&lt;/sup&gt;</td>
<td>&lt;1 Acre: up to 2 colonies 1 Acre+: up to 8 colonies</td>
<td>30'</td>
<td>Yes 6' height</td>
<td>Yes (Courtesy)</td>
<td>Yes</td>
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<td>Evanston</td>
<td>Yes&lt;sup&gt;C&lt;/sup&gt;</td>
<td>Yes Anually ($25)</td>
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<td>N/A</td>
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<td>West Dundee</td>
<td>Yes</td>
<td>Yes Anually ($10)</td>
<td>&lt;10k sq. ft.: &lt; up to 4 colonies 10k sq. ft.: &lt; up to 2 colonies</td>
<td>10'</td>
<td>Yes 5' height</td>
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<td>Oak Park</td>
<td>Yes</td>
<td>Yes Anually ($75)</td>
<td>Up to 2 colonies per lot</td>
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<td>Yes 5' height</td>
<td>No &lt;sup&gt;E&lt;/sup&gt;</td>
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<td>Carpentersville</td>
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<td>Up to 1 colony per lot</td>
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<td>Skokie</td>
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<td>Yes Anually ($125)</td>
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<td>6' Side Yard 5' Rear Yard</td>
<td>Yes 6' height</td>
<td>Yes (Need Consent)</td>
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<td>No</td>
<td>No</td>
<td>1 Acre</td>
<td>10'</td>
<td>No</td>
<td>Yes 6' height</td>
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<td>Yes</td>
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<tr>
<td>Lake County</td>
<td>Yes&lt;sup&gt;D&lt;/sup&gt;</td>
<td>Yes$25</td>
<td>10k sq. ft.: 2 colonies Each add'1 10k sq. ft.: 1 colony</td>
<td>10' &lt;sup&gt;H&lt;/sup&gt;</td>
<td>Yes 6' height</td>
<td>No</td>
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<td>Will County</td>
<td>Yes&lt;sup&gt;I&lt;/sup&gt;</td>
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</table>

<sup>A</sup> Yorkville permits a maximum of 12 licensees issued within the City and each licensed property must be at least 1,000’ from one another

<sup>B</sup> Yorkville requires $50 for new licenses, $25 for renewals

<sup>C</sup> Evanston permits a maximum of 8 licensees issued per ward within the City

<sup>D</sup> West Dundee requires a flyway barriers colonies within 20’ of a property line

<sup>E</sup> Oak Park does not require notification but no permit can be issued within 150’ of any address where a resident has an allergy to be stings documented by a licensed physician and registered with the Village

<sup>F</sup> in Carpentersville and McHenry County, flyway barriers are required for colonies within 25’ of a property line

<sup>G</sup> Lake County requires a 10’ setback from property lines and 30’ from any existing structure on any adjoining parcel such as a house

<sup>H</sup> Lake County requires a flyway barrier on parcels of 40,000 square feet or less, where the beehive entrance is oriented to an exterior property line

<sup>l</sup> Will County allows beekeeping in residential districts only as a Special Use

***According to the American Beekeeping Federation, one bee colony is capable of producing anywhere from 50lbs to 240lbs of honey each year depending on conditions (weather, how well maintained a colony is, the site conditions, etc.)***
The flyaway barrier directs the **bees** quickly into the sky and away from pedestrians. It can be composed of dense vegetation or man-made materials, **so long as** the bees are forced to fly over the structure.

“**A flyaway barrier shall be at least six (6) feet in height, consisting of a solid wall, fence, dense vegetation or combination thereof that is parallel to the property line and extends twenty-five (25) feet beyond the colony in each direction so that all bees are forced to fly at an elevation of at least six (6) feet above ground level over the property lines in the vicinity of the apiary.**"
Beekeeping Best Management Practices

Comply with all homeowner association, local, state, and federal ordinances, regulations, and laws pertaining to beekeeping.

Maintain strong, healthy, populous colonies
   a. Remove or securely seal all empty hive equipment.
   b. Remove or combine all weak colonies.
   c. Treat or remove all disease and/or pest infested colonies.
   d. Report disease and/or pest infested colonies to the Department of Agriculture

Practice proper management and control techniques to prevent colonies from swarming.

Maintain all colonies at least 10 feet away from property lines.

Place all colonies less than 40 feet from property lines behind a barrier no less than 6 feet in height. Barriers should be of sufficient density to establish bee flyways above head height.

Maintain a water source within 50 feet of colonies or less than one-half the distance to the nearest unnatural water source, which ever is closest for urban and suburban apiaries.

Remove or relocate an apiary that is within 50 feet of any animal that is tethered, penned, kenneled, or otherwise prevented from escaping a stinging incident.

Avoid opening or disturbing colonies when neighbors or the general public are participating in outside activities or using machinery within 150 feet of an apiary.

Maintain colonies with honey bee races certified as European honey bees (EHB).
   a. Purchase queens, packaged bees, nucleus colonies, or established hives from certified EHB suppliers.
   b. Re-queen when making divisions and splits of established colonies.
   c. Replace queens in all captured or trapped swarms within 30 days.
   d. Replace queens in all colonies every two years.
   e. Mark or clip queens prior to introduction to splits, swarms, and colonies.
   f. Replace all unmarked or unclipped queens within 21 days of discovery.

Replace queens and destroy all drone brood in colonies exhibiting defensive behavior that may be injurious to the general public or domesticated animals.
   a. Report all colonies suspected of being overly defensive or non-EHB to the Department.
   b. Collect and submit samples of worker bees from the brood area of suspected non-EHB colonies to the Department.
   c. Depopulate within 7 days of notification all colonies determined to be from a pure or hybrid non-EHB race.

Obtain queens from suppliers located outside of Africanized honey bee (AHB) infested areas and localities adjacent to AHB infested areas.

In the event that AHB is shown to occur in a locality where an apiary is located:
   a. Annually replace queens in all colonies with queens produced from certified EHB stock.
   b. Maintain a copy of EHB certification for all queens purchased.
   c. Encourage the destruction of all captured or trapped swarms.
   d. Re-queen, within 14 days with certified EHB queens, any swarms captured or trapped in localities adjacent or in proximity to an AHB infested area.
   e. Maintain and monitor at least one baited trap or hive in the vicinity of each apiary located in an AHB infested area.

Source: Beekeepers Guild of Southeast Virginia
INTRODUCTION

Beekpeaking has become increasingly popular. Although generally docile, honeybees (Apis mellifera) can and may sting when they perceive they are being threatened (normally at their beehive). Responsible management is therefore necessary to avoid creating problems for neighbors, particularly in an urban setting.

Under the Illinois Bees and Apiaries Act, the Illinois Department of Agriculture (IDoA) inspects honeybee colonies as a service to the beekeeping industry. The purpose of the inspections is to determine the general health of honeybee colonies. During the course of an inspection, IDoA Apiary Inspectors closely examine bees to detect diseases and pests and to provide advice on needed treatments. Inspections are provided free of charge to beekeepers around the state. To access more information concerning the Illinois Bees and Apiary Program, go to www.agr.state.il.us/programs/bees/index.html

The Act also requires beekeepers to register their colonies with the IDoA. Registration is as simple as completing a brief one-page form and mailing it to the Illinois Department of Agriculture, State Fairgrounds, P.O. Box 19281, Springfield, IL 62794-9281. A registration certificate is provided to beekeepers who register with the IDoA. There is also no charge for registering honeybee colonies with the IDoA. To download a registration form, go to www.agr.state.il.us/programs/bees/beekeep.pdf

GENERAL BEST PRACTICES

Education

The first and most critical step in responsible beekeeping is education. All beekeepers should have a solid understanding of honeybee biology and basic beekeeping methods. The Illinois State Beekeepers Association (ISBA) also encourages all beekeepers to join the ISBA as well as a local association. We strongly suggest that new beekeepers take a beginning beekeeping course and read several different beekeeping guides. Many local associations offer honeybee classes and/or will mentor beekeepers. Beekeepers should stay informed of recommended changes in beekeeping practices, threats to honeybee health and government regulations.

Colony Temperament /Queens

While generally docile, honeybees can sting. A colony’s temperament is determined by its queen’s characteristics. Any colony exhibiting unusually defensive behavior (stinging or attempting to sting without provocation) or an excessive swarming tendency should be requeened as soon as possible.

Beekeepers should evaluate their queens on a regular basis for performance and hive gentleness. Only queens of European origin should be used. Queens should only be obtained from the most reliable sources. Local sources, where available, are preferred in order to reduce the chances of introducing Africanized honeybees and to ensure that the queen is well suited to the climate.
**Hive Placement**

Beekeepers should comply with all homeowner association and local ordinances and regulations pertaining to beekeeping. Correct placement of hives is a very important consideration for responsible beekeeping in urban and suburban settings. Hives must be placed in a quiet area of the lot and not directly against a neighboring property unless a solid fence or dense plant barrier of six feet or higher forms the property boundary. Hives should be kept as far away as possible from roads, sidewalks and rights of way. Flight paths into the hive should remain within the owner’s lot. Barriers, including solid fencing, hedges and shrubs more than six feet high may be used to redirect the bees’ flight pattern.

**Considerate Hive Management**

Before setting up your hives it is a good idea to inform your neighbors where you intend to place the hives. Respond to and discuss their concerns; an informed neighbor is more likely to be an understanding neighbor. Beekeepers are encouraged to post signs to alert neighbors and passersby to the presence of their hives; generally it is best to place such signs so that they are only in view when the public would otherwise be able to view the hives.

Beekeepers should take into account that weather conditions influence bee behavior and plan to work bees when conditions are favorable. They should make sure that neighbors are not outdoors when they open hives and should perform hive manipulations as quickly as possible with minimum disturbance to the bees. Extended hive manipulations, particularly when removing honey, should be carefully planned to accommodate neighbors’ activities. A smoker should be used when working bees. Hive entrances should be smoked before mowing or trimming in the hive area. Clippings and exhaust should be directed away from hive entrances.

**Provision of water**

Beekeepers should provide water for their bees before locating them in their yard. Bees prefer a sunny place with surface moisture, for example wet sand or gravel or the edge of a birdbath. If you establish such water sources, your bees will become habituated to them and will be less likely to visit swimming pools or hot tubs. Remember that in very hot weather, bees use a large amount of water to maintain temperature and humidity within the hive.

**Swarming**

While swarming is natural honeybee behavior, it is one that should be prevented or minimized, especially in urban and suburban settings. Two primary causes of swarming are congestion and poor ventilation in the hive. To avoid these conditions, beekeepers should consider:

- Brood chamber manipulation
- Colony division
- Addition of supers for brood rearing and honey storage
- Replacement of old or failing queens

These and other swarm management practices are explained in detail in most good beekeeping textbooks.
Best Management Practices for Beekeeping in Illinois
Illinois State Beekeepers Association
www.ilsba.com

(March, 2013)

When a swarm occurs, efforts should be made to collect the swarm. Swarms captured from locations where the origin of the bees may be questionable should be monitored frequently for abnormal defensiveness.

Robbing Behavior
When nectar is scarce, honeybees may rob honey from other hives which makes them appear more defensive. Under such conditions, beekeepers should work hives for only short periods of time and only if really necessary. Exposed honey outdoors often encourages robbing. All empty hive equipment should be removed or securely sealed. Areas used for honey extraction should be bee-proofed to prevent robbing situations.

Disease Control
There are a number of honeybee diseases and pests which cause concern for beekeepers. Some diseases, like American Foulbrood, are extremely contagious; beekeepers should be extremely cautious about mixing hive equipment and purchasing used equipment for this reason. It is incumbent on beekeepers to manage all disease and pests, including parasitic mites, to ensure colony health and honey quality.

AFRICANIZED HONEYBEE
The Africanized honeybee ("AHB") has expanded its range from South America and arrived in the United States around 1990. Since that time, AHB have colonized in several southern states including Florida, Texas and California. It is not yet known whether AHB will be able to establish in cooler climates.

Management to Avoid AHB Introduction and Establishment
The recommended techniques intended for maintenance of European stock include:

- Purchase queens, packaged bees, and nucleus colonies from reputable sources outside of Africanized honey bee (AHB) infested areas or localities adjacent to AHB infested areas. The current distribution in the U.S. can be seen at http://ars.usda.gov/AHBmap
- Bi-annual requening of hives and requening of swarms with certified European stock purchased from reliable sources (local when possible).
- Maintaining requening records and purchase documentation
- Monitoring the behavior of the bees and replacing the queen immediately if the hive becomes difficult to manage

Any beekeeper who witnesses unusually defensive behavior should take the following steps:

- Contact the Illinois Department of Agriculture Apiary Inspector for your area www.agr.state.il.us/programs/bees/inspectors.html or the IDoA’s Apiary Inspection Supervisor at 217/782-6297.
- Requeen immediately with certified European stock
- Monitor requeneed hive for continued defensiveness
Best Management Practices for Beekeeping in Illinois

Illinois State Beekeepers Association

www.llsba.com

(March, 2013)

Treat all honey bees with respect. Treating all honey bees with respect is a fundamental pillar of beekeeping as honey bees are indispensable and important to the human food supply.

ACKNOWLEDGMENTS
The Illinois State Beekeepers Association would like to thank the Ohio State Beekeepers Association, the Maine State Beekeepers Association, New York City Beekeepers Association, and the many other beekeeping associations and agricultural organizations whose work and effort formed the foundation of this document.

DISCLAIMER
This document is and always will be a work in progress, intended for regular update and revision. It offers guidelines for responsible beekeeping in the State of Illinois but is not intended to provide legal advice.
#14-33 Bee Keeping
Planner Angela Zubko stated couple months ago the PBZ office was asked about allowing bee keeping in residential districts. This topic has been discussed a few times at the PBZ (Planning, Building and Zoning) Committee and the committee would like to see a text amendment to allow these in residential districts. Planner Zubko is of the opinion this is a bad idea and it is permitted in A-1 Agricultural districts now. Staff proposes the following text amendment per the direction of the PBZ Committee. She proposes it be a conditional use in the R-1, R-2 and R-3 Districts with the 14 conditions listed on the memo.

Fran Klaas thinks it's a good thing to have bees.

Brian Jahp has no comments at this time.

Aaron Rybski stated if they were selling it they would have to follow state requirements.

Brian Holdiman asked about who would inspect these items and what if there are violations. Planner Zubko stated the PBZ Department would be and asked if in his opinion we should charge more? Mr. Holdiman stated not at this time, he is fine with how it is written.

With no further comments Brian Japh made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

#14-37 Home Occupations- Landscape Business
Planner Angela Zubko stated within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had A LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use, the fact that all others need to be located on a State, County or Collector Highway and we've had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations in the definitions which are shown in red on the memo and also on the affidavit that home occupations sign.

Brian Holdiman agrees with this text amendment.

Aaron Rybski has no objection.

Brian Jahp has no comments at this time.

Fran Klaas agrees with Brian Holdiman.

With no further comments Aaron Rybski made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD:
14-26 Critter Care- Passed at the 10.21.14 County Board meeting
14-28 Hively Landscaping- withdrawn due to all the opposition and the Village of Plainfield denying the request

PUBLIC COMMENT- There were no comments.

OLD BUSINESS- None
To: RPC  
Date: November 24, 2014  
Re: Text Amendment – Home Occupations (Petition 14-37)  

Within the last year the PBZ Department has had a lot of issues with regards to landscape businesses and if they qualify for home occupations. Also we have had a LOT of people wanting to do it as a home occupation. Staff is of the opinion they should not qualify due to the type of equipment they use and we’ve had issues in the past trying to prove there are employees and the amount of employees. Staff proposed to specify that landscape businesses cannot be home occupations.

HOME OCCUPATION. Any occupation or profession engaged in by an occupant of a dwelling unit as a use which is clearly incidental and secondary to the use of the dwelling as a residence.

HOME OCCUPATION - AGRICULTURAL. A home occupation in an agricultural zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, landscaping business, stables, undertaking establishments and funeral parlors shall not be deemed to be "home occupation". (Amended 04/18/2000)

HOME OCCUPATION- RESIDENTIAL A home occupation in a residential zoning district. Tearooms, restaurants, eating and/or drinking establishments, animal hospitals or kennels, clinics, general retail and wholesale, stables, landscaping business, undertaking establishments and funeral parlors shall not be deemed to be a "home occupation".

Wording for a special use in the A-1 Agricultural District, B-3 Business District and M-1 and M-2 Manufacturing districts:

Landscaping business, provided that:

a. All vehicles, equipment and materials associated with a landscaping business shall be stored entirely within an enclosed structure, unless otherwise permitted under the terms of this Special Use Permit.

b. The business shall be located on, and have direct access to, a State, County or Collector Highway as identified in the County’s LRMP, having an all-weather surface, designed to accommodate loads of at least 73,280 lbs, unless otherwise approved in writing by the agency having jurisdiction over said Highway. Such approvals shall establish limitations as to the number of employees and types of vehicles coming to and from the site that are engaged in the operation of the use (including delivery vehicles).
These restrictions shall be included as controlling conditions of the Special Use. (Amended 7/17/2007)

c. No landscape waste generated off the property can be burned on this site.

4.06 HOME OCCUPATION- AGRICULTURAL provided:

a. It is conducted entirely within the dwelling or permitted accessory building by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.

b. A maximum sign of 8 square feet will be permitted but must meet setback requirements in section 11 of the Zoning Ordinance and be unlit.

c. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises except that items incidental to the home occupation may be sold, i.e., hair products may be sold at a salon.

d. No person shall be employed on site other than members of the family residing on the premises and two persons outside the family, providing that additional persons outside of the family may be permitted by the Zoning Board of Appeals pursuant to an application for special use filed in accordance with the provisions of this ordinance.

e. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.

f. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.

4.07 HOME OCCUPATION- RESIDENTIAL provided:

a. It is conducted entirely within the dwelling by a member or members of the family residing in the dwelling and when such home occupation is clearly incidental and secondary to the use of the dwelling as a residence.

b. There are no signs, display or activity that will indicate from the exterior of the dwelling that it is being used for any use other than a dwelling except as allowed by the sign regulations for the district in which such "home occupation" is located.

c. No article shall be sold or offered for sale on the premises except as is produced by the occupation on the premises, except that items incidental to the home occupation may be sold, i.e., hair care products sold at a salon.

d. No more than ten (10) vehicle trips by either customers, delivery persons or employees may be made throughout a day to and from the home occupation.
e. No person shall be employed on site other than members of the family residing on the premises and one person outside the family in all residential districts.

f. The number of off-street parking spaces for that use is provided as required by the Off-Street Parking, Loading, and Landscape Requirements of this Ordinance.

g. No mechanical equipment is used which may generate obnoxious fumes, excessive noise or other such related nuisances. No offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be produced which is perceivable at or beyond the lot lines.

h. Instruction in music, crafts and dance shall be limited to one student at a time with a maximum of eight per day. To exceed this limit requires a variance.

i. Salons shall be limited to one chair or nail table, commonly referred to as a station.

Please review and provide Staff with comments during the meeting. Should you have any questions prior to the meeting, please contact me at 630-553-4139.

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Brian Jahp has no comments at this time.

Fran Klaas agrees with Brian Holdiman.

With no further comments Aaron Rybski made a motion, seconded by Fran Klaas to approve the text amendment and forward the petition onto the next Plan Commission meeting. All were in favor and the motion carried.

REVIEW OF PETITIONS THAT WENT TO COUNTY BOARD-
14-26 Critter Care- Passed at the 10.21.14 County Board meeting
14-28 Hively Landscaping- withdrawn due to all the opposition and the Village of Plainfield denying the request

PUBLIC COMMENT: There were no comments.

OLD BUSINESS: None
Listing of ZBA/SU-HO Dates for 2015
7:00PM (Monday following KCRPC)

January 5, 2015
February 2, 2015
March 2, 2015
March 30, 2015
April 27, 2015
May (No Meeting)
June 1, 2015
June 29, 2015
July 27, 2015
August 31, 2015
September 28, 2015
October (No Meeting)
November 2, 2015
December 7, 2015