

ZONING, PLANNING & ORDINANCE COMMITTEE
AUGUST 11, 2004 - 7:00 P.M.

Chairman Hay called the meeting to order at 7:00 p.m. Committee members present were Aldermen Dikun, Nolan, Hay and Berg. Also present were City Clerk Wells, City Administrator Nelson, members of the press and audience.

CHAMBER OF COMMERCE REQUEST FOR WAIVER OF POLICE/WATER FEES

The Ordinance Committee discussed the Chamber's request to waive the fees for police officers and water usage during the circus which will be held on September 24th at Milky Way Park. Administrator Nelson estimated that the water usage would be less than \$100 and the requirement for three police officers would cost about \$1,000.00. Chamber representative Mike Bannwolf noted that it is the Chamber's responsibility as sponsor to supply 3,500 gallons of water, the dumpster and the cost for the police officers. Mike indicated that although police presence would be appreciated, the Chamber didn't see a specific need for police officers on premises during the family oriented shows which start at 4:30 and 7:30 p.m. Each show lasts about two hours and police assistance would be needed for traffic control when the shows let out. After further discussion, moved by Berg, seconded by Hay to recommend to the City Council that the fee for water usage be waived and an exception be granted to the ordinance requirement for three police officers but having two officers present from 4 p.m. - 10 p.m. for traffic control with the Chamber and City each paying half the expense Roll call vote: Nolan, abstain; Berg, aye; Dikun, aye and Hay, aye. Motion approved three to zero with one abstention.

GARAGE SALES

The Ordinance Committee continued discussion on garage sale requirements. Alderman Dikun felt the problems weren't with garage sales but the one individual that is violating the current regulations and recommended collecting fines. Scott Logan addressed the Committee and recommended that the City enforce the regulations that are already in place. Moved by Berg, seconded by Dikun to recommend to the City Council that an ordinance be drafted to amend Section 21.10, Garage Sales, to limit garage sales to two per year; cleanup allowed only 24 hours before and after garage sale; the fine provision to be \$250 per day each day the violation exists and to amend Section 1.14, Settlement of Offenses, to include fine provisions. Clerk Wells noted he has looked into standardizing signs similar to what is being done in Walworth which could be printed at a cost of .29 each and could be distributed when applicants come in for garage sale permit. Clerk Wells requested that this be looked at for next fiscal year budget and/or see if the Shopper Service would underwrite the cost. Roll call vote: Nolan, aye; Berg, aye; Dikun, aye and Hay, aye. Motion approved four to zero.

WILKENING VARIATION

Clerk Wells reviewed Allen and Lois Wilkening's petition for a variation from Section 19.15 (B) Driveways & Parking Area Requirements, Section 13A.02C, Use of Sewers required and Section 13B.03A, Use of Water Facilities required, for property located at 22222 Oak Grove Rd. The petitioners are scheduled for a hearing before the Planning and Zoning Commission on August 16, 2004, for a variation to allow more than one principal use on a zoning lot. The property in question is a five acre parcel which is part of a 52 acre commercial farm and is zoned agriculture. City water/sewer services are about 4,200' from this location. The petitioners would like to build a pre-fab home on the property and request variations from the requirement to hard surface the driveway and parking area, to maintain the existing well and to install septic pursuant to the McHenry County permit until such time as the City water/sewer services are available. The petitioners agree to the stipulation that they be required to tap-on to the City's water and sewer services within one year after becoming available. The existing house will be torn down after the new home is built. Moved by Berg, seconded by Hay to recommend to the City Council to grant the variations to allow the petitioners to maintain the existing well and install a new septic, with the condition that the petitioners tap-on to City sewer and water if and when they become available. Further that the petitioner may continue to do so without any further petition to the City Council; should a new septic system be required in the future before water and sewer is available, the petitioner would not have to come before the City Council for a variation. Roll call vote: Nolan, aye; Berg, aye; Dikun, aye and Hay, aye. Motion approved four to zero.

Moved by Hay, seconded by Berg to grant the variation to hard surface the driveway/parking area so long as the property continues to be used as a commercial farm; at such time as that use ceases, they will have one year to hard surface; further that a memorandum be recorded for this property at the petitioner's expense. Alderman Berg noted that he could draft the memorandum. Roll call vote: Nolan, aye; Berg, aye; Dikun, aye and Hay, aye. Motion approved four to zero.

At 7:45 p.m., moved by Dikun, seconded by Berg to adjourn the meeting. All ayes. Motion carried.

Submitted by:
Chairman Tom Hay