

Chairman Jochman asked again if anyone wishes to speak with a final call.

A motion was made by Mr. Sabel, seconded by Mr. Cox, to close the public hearing for the Re-adoption of the Village of Fox Crossing Zoning Ordinance.

The motion carried – 7-0.

Item 2 – CUP - Sara Mae LLC – Home Occupation

A motion was made by Mr. Sabel, seconded by Mr. Scheibe, to open the public hearing for the CUP - Sara Mae LLC – Home Occupation.

The motion carried – 7-0.

Director Dearborn explained that Sara Ertle is proposing home occupation at single family home. This CUP for home occupation is considered major home occupation. She is the sole proprietor of this business and will be appointments only. Key concerns are compatibility with residential neighborhood and impact. However, she has adequate onsite parking and does not plan to sell any products. Additionally, no noise involved. She would be allowed sign on property if she applies for one. Director Dearborn said this would be a standard type of CUP and these have been issued before. Her business meets all requirements.

Director Dearborn mentioned that there were two phone calls with concerns about the business but he reassured that Sara will be the only owner that is at this facility. He said the applicant is here for any questions.

Chairman Jochman said that in the past there has been similar applications and have been approved over the number of years. He asked if there was anyone who wishes to speak.

Sarah Ertl of 1386 Martingale Lane said she lives by CB and because of Covid she has been thinking about next steps. She has been a hair dresser for 12 years and feels that working for herself is best. She said she has two little ones that made sense for her to work at home. This would be a good balance for a hair dresser and a mom. She mentioned that she had friends who did this in the past and asked her friends on how to do this. She feels comfortable that it is going to be small for now and when her kids are older, she'll be at a salon again and this will be her in between for now.

Mr. Young wished her the best and is excited for her. He said the community supports her Mr. Young asked if she would be selling products.

Ms. Ertl replied that being so small she will not. She didn't do in her business before so it would not hurt her business to not sell products.

Director Dearborn said her home occupations are by appointment only. The prohibition of selling products are so that people are not coming at door to buy products.

Mr. Cox asked if this is just a stop in Sara's employment or if was considering going back to being employed?

Mr. Sable replied that under the CUP, Sara would be able to do both in the future.

Director Dearborn confirmed that this CUP process is just granting permission to do a home occupancy and if Sara wanted to go back to work, it wouldn't be a problem.

Mr Young appreciated Sara for going through the proper channels to contact the commission for this process.

Director Dearborn said this process protects her that if someone didn't do this, then the Village would have to take action.

Mr. Cox asked if there would be enough time between appointments to arrange for parking, coming and going.

Ms. Ertl reassured that with her 5 years out of self-employed locations, she controlled her own schedule and always booked enough extra time so she did not have people waiting. She plans to go about the same way. She plans to have someone out of her door before the next person comes in. She has done research on how many people to count as clients and she averages 15 hours a week for her business.

Mr. Cox asked that there be a 10 minute break between each hair cut so no overlap.

Ms. Ertl said people need to call when they are in parking lot and when she has her space sanitized, she will call them to come in.

Mr. Cox asked if that the 10 minute break would be okay to add into her conditions.

Sara said she would not be opposed to it.

Chairman Jochman asked if anyone else wanted to make a comment three times.

A motion was made by Mr. Sabel, seconded by Mr. Cox, to close the public hearing for the CUP - Sara Mae LLC – Home Occupation with the conditions of

The motion carried – 7-0.

APPROVAL OF MINUTES – May 13th, 2020

A motion was made by Mr. Cox, seconded by Mr. Scheibe, to approve the meeting minutes of Wednesday, May, 13th, 2020 with minor corrections, previously discussed with Recording Secretary.

The motion carried – 6-0-1. Mr. Sabel abstained because he was not present at the previous meeting.

NEW BUSINESS

Item 1 – CUP - Sara Mae LLC – Home Occupation

Director Dearborn with approval with conditions that the owner is sole proprietor of the establishment, no more than 25% of house used for home occupation, adequate onsite parking, appointment, 7am to 9pm, and merchandise is prohibited. There seems to be no issues and so staff recommends approval. As a reminder, Planning Commission has the final say in Conditional Use Permits. If approval occurs, the CUP will be approved tonight.

Mr. Sable voiced concerned that the conditions seem to be overly restricted. The applicant doesn't dictate when people show up and we should be more lenient on that.

Mr. Cox recommends to have 1, no more than 2 clients at a time and by appointment only with a minimum of 10 minute between appointments. He said this gives Sara opportunity to call her clients and clean up a little bit.

Mr. Sable said this is not needed because Sara can't tell when people show up.

Ms. Romzek agreed with Mr. Sable that the conditions should be as is because we don't want to be too restrictive and believes that Ms. Ertl is able to manage herself.

Mr. Cox explained his thought behind the restriction. He said that by only appointment with maximum of two clients at a time will be 3 cars in the drive way out front by clients coming in early or leaving late. Mr. Cox said he currently has someone in his neighborhood that does something similar and sees 5 people coming in at a time from the car. By putting 5-10 minutes in between appointments, you have time to clean up a bit. Mr. Cox can retract my condition if it would be necessary if the Planning Commission all wanted that way.

Chairman Jochman said that they could motion to amend the conditions.

Mr. Cox said that as Ms. Romzek has said, we don't need to make it too restrictive, but on the other hand, we will count on Ms. Ertl to give enough time between appointments

Ms. Ertl replied that to make Mr. Cox feel better, she stated that she is not a person to be late and when she sees client come early, she remind them to not do so even though it is appreciated. She takes COVID very seriously. Her number one priority is her family and so she plans to keep her business smaller and so do not plan to have 7 cars there. This job is only part-time and is more of a hobby.

Mr. Zielinski does not think the CUP should be too restricting because it is a legitimate business. Children will come with their moms and may need haircuts too. He believes the permit should be approved as it.

Mr. Young agrees that it shouldn't be too restrict and understands where Mr. Cox is coming from, but does not want to make it too restrictive. He also clarified that for retail sale prohibition, it is not saying that Ms. Ertl couldn't sell a bottle of shampoo, but just couldn't be an actual retail sales salon.

A motion was made by Mr. Sable, seconded by Mr. Cox, to approve CUP - Sara Mae LLC – Home Occupation with the following conditions:

1. No more than two clients at a time, by appointment only, shall come to the home.
2. Hours of operation is between 7am to 9pm
3. Retail Sale of merchandise is prohibited
4. The business follows all the codes of a Major Home Occupation as defined by Chapter 31.7-175.

The motion carried – 7-0.

Item 2 – Re-adoption of the Village of Fox Crossing Zoning Ordinance

Mr. Scheibe asked if there were any real changes since the last time the Planning Commission looked at it.

Director Dearborn replied that there were not any major changes. Most of the document is the same and just some clarifications. For example, cell towers was cleaned up cause there were changes of state statute. Although this document does not incorporate most recent actions on CBRFs made by the Planning Commission yet. They will be incorporated after this is adopted. Once it is done, it can be viewed online. Readopting is something we have to do to make it clean and comply with state statues for adoption.

Chairman Jochman said that staff work with these ordinances day in and out and do go over them periodically so they do not just sit on a shelf. They know it better than anything.

Director Dearborn said there were inquiries for things such as Granny flats so there will be additional things need to include in the future.

Chairman Jochman said those changes will be done as they come and asked if anyone had comments.

Mr. Young asked about the layout of the number for the ordinance and how its set up.

Director Dearborn said everything is renumbered. The numbering system reflects what we had already. The new format when placed online is searchable by word.

Mr. Cox asked if the original numbering system is from Winnebago County.

Director Dearborn said that Chapter 31 was always for zoning ordinance and it took county draft and integrated. Numbering system was not ideal so the ecode firm took numbers and clarified them.

Mr. Sturgell added that in the broader context, the entire code was blown apart and everything was reassemble into 3 parts. One is Administration which is the structure of the Village: how meetings are ran and boards and commissions. The general code started with chapter 1, then 5, 10, spreading things out and alphabetically. Administrative review was moved to Ch. 8. They also left space in between in case things come in the future. Part 2 is Licenses and Police and Part 3 is George's part, Development and Zoning. When the ordinance becomes active on website, everyone can search codes very easily. Any changes, the website will tell you where the new codes are.

Director Dearborn said that going through this process the Planning Commission gives recommendation to the board.

Mr. Sturgell mentions that the board will view it on July 13th with some tweaks to iron out.

Director Dearborn emphasized that it was important for the Planning Commission to recommend approval now prior to it going to the board.

A motion was made by Mr. Scheibe, seconded by Mr. Cox, to approve Re-adoption of the Village of Fox Crossing Zoning Ordinance.

The motion carried – 7-0.

OTHER BUSINESS

1. Development Activity Report

Director Dearborn said that Single family is down, with 5 single family and 1 duplex in May, but still doing well. We are currently at 18 million opposed to 13 million from the

previous year. We currently have two CBRFs moving forward, one is 60 units and other is 55 units, which will bring substantial value. There are no commercial right now. Though we are completing some major projects right now. We are doing well with current economy. It's a good start on the year.

COMMUNICATIONS

1. Sustainability Committee Report

Director Dearborn said that we did meet and are starting to meet again. We began collecting plastic film again. Community garden is moving well, both are mainly sold. The Fox River cleanup is on August 22nd. We are working on led light replacement with We Energies. This will be a substantial saving, LED lights cost less. The cost to install is a lot right away but there will be a fast payback. We also touched a bit on Leaf Burning but it's an ongoing issue. The Village is looking at leaf vacuuming system, but requires substantial staff.

There was a lively conversation on the Leaf Burning Ordinance amongst the Planning Commission.

Mr. Strugell assured everyone that the Village is working on it, but it may not happen right away. The Board is looking at different aspects such as rights, costs, and concerns about health. Currently there are lots of different views by board members, but they will work through it and see what they decide to do.

PUBLIC FORUM

Chairman Jochman asked if there were any information to address.

Director Dearborn said that there are more and more calls from people about the eldering. Currently the code does not allow a second principal structure. You would have to connect it to the principal building. Temporary Granny Flats that can be removed is something we will be thinking about bringing to the commission in future.

Chairman Jochman said his initial thoughts are the two CBRFs for senior care facilities.

Director Dearborn replied that it is a very expensive way to go for many.

Mr. Young mentions that he is also going through that with both set of parents. He knows of someone who is doing a start-up business with modular homes connected to home.

Mr. Sable adds that they would need a pretty big lot to do that before he can support it.

Mr. Cox asked about the people that are living out of camper or RV that are drivable whom visits in summer time and parks in the driveways.

Director Dearborn replied that he is aware that it may be happening, but by ordinance it cannot allow it. If you get complaints, we will address it.

ADJOURNMENT: A motion was made by Mr. Sable, seconded by Mr. Scheibe to adjourn.

The motion carried – 7-0.

6:12 p.m.

Plan Commission
June 17, 2020 Minutes
Farrah Yang,
Recording Secretary