



**COMMISSION MEMBERS PRESENT:** M. Pirk, J. Hewitt, D. Driver, J. Garski, J. Maier & J. Mallon

**COMMISSION MEMBERS ABSENT:** J. Longe

**VILLAGE BOARD MEMBERS PRESENT:**

Staff: R. Meyer & B. Kane

**1. Call to Order**

The meeting was called to order at 1:00 pm by M. Pirk.

**2. Approval of the November 21, 2012 meeting minutes**

J. Hewitt motioned, J. Maier seconded to approve the November 21, 2012 meeting minutes. Motioned carried unanimously.

**3. Conditional Use Petition CU-01-13 – 2808 Hwy V | Giese Applicant  
Tax Parcel #151-03-22-06-003-000**

Representative: Kevin Giese, 2808 Highway V

Conditional Use Petition (CU-01-13) located at 2808 Hwy V requests permission to construct a fifty by seventy (50' x 70') garage addition onto an existing 30' x 50' detached garage within an AG (Agricultural) zoning district. The structural request is in accordance with Ordinance 90-311(d) (11) as the combined total garage square footage between two structures is 4,136 square feet, less than ten thousand square feet as permitted within the AG zoning district. The proposed use of the garage addition will be utilized for storage of commercial vehicles and equipment, landscape trailers, storage of dry materials, and personal storage.

The applicant in 1997 received approval for the operation of a residential business (Perfecturf Residential Lawncare) to operate out of the existing detached garage for the storage of commercial equipment. Recently the planning department has received complaints from surrounding homeowners that the property owner is exceeding the limitations of the residential business previously approved by the Plan Commission.

K. Giese explained that he would like to put the addition onto the pole barn for his landscaping business and personal use. He stated that his in-season equipment is currently stored on site and the out of season equipment off site, this addition would allow him to store all of his commercial business equipment on site. This addition would match the existing building. He added that he could add a berm and more trees to help block the view for the neighbor to the south.

William Dembrowski, 2700 Highway V, stated that he does not object to his neighbor building the pole barn addition now that he has clarification of where the building will be located.



J. Mallon voiced his concern that in 1997 this was approved for a small landscape business with no exterior storage of materials or equipment but that the business appears to have grown to a commercial sized business and not appropriate in a residential setting.

J. Mallon motioned to deny the conditional use petition CU-01-13 based upon the expansion of a commercial application in an AG district. There was no second.

R. Meyer stated that the description of the business today does not fit the definition of a Residential Business in the village ordinance, it would be a commercial business. M. Pirk asked for a copy of the ordinance to be given to all Plan Commission members to review during the meeting. R. Meyer added that the Plan Commission can't disregard an ordinance approved by the Village Board and suggested that they request a text amendment with a public hearing. R. Meyer stated that the Plan Commission can only recommend approval of this use with a zoning text amendment to the residential business ordinance which requires a public hearing held by the village board.

D. Driver motioned, J. Hewitt seconded to table the item until the March meeting. Motion carried unanimously.

**4. Discussion – Residential Home Business Occupation Text Amendment**

The Plan Commission discussed what they would like to see in the Residential/Home Business Occupation text amendment. The Plan Commission agreed that they need to look at the zoning district, total number of employees, percentage of use of the building and go from there. Staff will create a draft and email to the Plan Commission for them to mark up and return so that the item can be on the February Plan Commission meeting. There was a consensus that they don't change residential home business but add a new category under it such as agri-business.

**5. Persons Desiring to be Heard – None**

**6. Commissioner & Staff Reports -**

J. Garski stated that he received a call from someone regarding an open auto repair shop on Durand Avenue behind a house with a sign in the front yard hooked up with an extension cord.

J. Hewitt motioned, J. Garski seconded to adjourn at 2:48 p.m. Motion carried unanimously.

\*Next meeting is scheduled for **Wednesday, February 20, 2013 at 1:00 p.m.**

Cc: B. Kane            L. Martin            M. Pierce            M. Schmidt            L. Hannula  
R. Pucely            B. Sasse            T. Beyer            D. McHugh            V. Rudychev