



Village of
Glenwillow
Honoring the Past - Welcoming the Future

Planning Commission
November 15, 2023 – 5:30 pm.

Tim Hauptert called the Planning Commission meeting to order at 5:30 PM.

Present: Jeff Adie, Tim Hauptert, Scott McColl, Neil DeCarlo
Absent: Mayor Cegelka
Others Present: Law Director, Mark Marong, Building Official, Braden Thomas,
Engineer, Mike Henry

Approval of minutes

Jeff Adie, seconded by Scott McColl, moved to approve the minutes of the September 20, 2023, Planning Commission meeting.

Roll call on the motion: Yeas: Adie, McColl, DeCarlo
Abstain: Hauptert
3 Yeas, 0 Nays

Citizen comments on agenda items only.

For the record, Mr. Hauptert noted that no citizens were present for the meeting.
No comments.

Old Business

None.

Before moving to new business, Mr. Hauptert turned the meeting to Mr. Marong, Law Director, to give an overview of the new business being presented.

Mr. Marong explained that by charter and code, any changes to the zoning code, title 11, need to go to Council for a first reading, Council refers the changes to the Planning Commission for review. Planning Commission makes a motion to recommend the changes back to Council. There will be a public hearing at Council for the changes. Mr. Marong stated that the changes are being presented by Braden Thomas, Building Official, and Mike Henry, Village Engineer.

Items one and two are related to the deposit system, the proposal changes it from a deposit system to a fee based system. The change will be more helpful for finance, record keeping, and it will make things clearer in the code. Item three addresses the renewal of conditional use permits for outdoor storage. Item four, which was suggested by Mr. Thomas, will help with fence permitting and property line disputes. The proposed code will require the owner to stake out the location of the proposed fence for ten days; this will allow the neighbors to see the location and if they have any dispute, they can address it before the actual installation of the fence. Item five addresses changes to the building code, title 13 of the codified ordinances. The changes to title 13 do not need to be addressed formally by the Planning Commission, they are only on the agenda for discussion. Items 1-4 will need a motion to recommend to Council.

Mr. Marong explained how the changes are made in the code. Deletions will have a

strikethrough, additions will be bolded and underlined, all other verbiage is existing.

New Business

Mr. Hauptert introduced the new business and asked Mr. Thomas to give an overview of each item as presented.

1. Review amendments to Chapter 1175 "deposits, bonds and fees" under title V of the Glenwillow Planning and Zoning Code.

Mr. Thomas stated that the proposed amendment to 1175 deals with engineering and other deposits and turning the deposit system into a fee-based system.

Currently, a deposit is taken from a contractor and at the end of the project any unused fees from the deposit are returned to the contractor. The deposit is used to pay fees for engineer services. Mr. Hauptert asked Mr. Henry about the amount of the fee; it is a significant increase. Mr. Henry replied that the fees have not been increased in quite some time and they are finding as time goes on the fees that are being incurred have gone up. The fees are part of the application and review fees. Mr. Henry explained that the Village would not incur any of his expenses, if the fees are not enough to cover Mr. Henry's invoices, the changes will allow the Village to ask for more fees from the contractor/applicant.

Mr. Hauptert, seconded by Mr. Adie, moved to recommend the amendments to Chapter 1175, "deposits, bonds and fees" under title V of the Glenwillow Planning and Zoning code.

**Roll call on the motion: Yeas: Adie, Hauptert, McColl, DeCarlo
4 Yeas, 0 Nays**

2. Review amendments to section 1115.02 "plan review required" of Chapter 1115 "site plan and design review procedures" of the Glenwillow Planning and Zoning Code.

Mr. Thomas stated that the amendment to 1115.02 deals with removing the requirement for fences, sheds, and decks to be reviewed by the Architectural Review Board. These applications would be approved administratively through the building department. This would apply to an application for a typical structure. Any atypical items would still require application and approval by the Architectural Review Board. Additions, new homes, and atypical items would require approval/review by the Architectural Review Board. This will streamline the process to issue permits for typical fences, sheds, and decks. The building department will have the discretion to send items to the Architectural Review Board.

Mr. Marong sited an example of an item that would go to the Architectural Review Board with the amended code; the Chaney's shed, which is the Taj Mahal of sheds. Any items that have zoning issues will require Planning Commission approval if a variance is required. Mr. Thomas stated that the changes will streamline the process to issue permits for typical fences, sheds, and decks. If there are issues with size, location, or style, he would utilize the Architectural Review Board for approvals. Mr. Marong confirmed that with the changes to the code, the building

official will have the authority to send items to the Architectural Review Board based on the administrative review.

Mr. Adie asked how it would be addressed if the neighbor has issues with a typical shed. Mr. Thomas replied that he would tell the neighbor that the owner has the right to have the shed as it meets code. Mr. Marong stated that in such a case, they could get a lawyer and private action can be taken against the neighbor, but the legal action would not involve the Village. HOA approval is still required for applications, whether issued by the building official or sent to the Architectural Review Board.

Mr. DeCarlo, seconded by Mr. McColl, moved to recommend the changes to Section 1115.02 "plan review required" of Chapter 1115 "site plan and design review procedures" of the Glenwillow Planning and Zoning Code.

**Roll call on the motion: Yeas: Adie, Hauptert, McColl, DeCarlo
4 Yeas, 0 Nays**

3. Review amendments to section 1147.02 "supplemental standards for specific uses" of Chapter 1147 "non-specific standards" of the Glenwillow Planning and Zoning Code.

Mr. Thomas stated that the changes to Section 1147.02 specifically deal with the conditional use for outdoor storage renewals. The proposed legislative changes will allow the building department to issue the conditional use renewal assuming that the property is following the conditions for the permit, and no changes have been made to the conditional use. The change will allow the building department to administratively issue the conditional use for outdoor storage renewal without requiring Planning Commission approval. This would apply to conditional use for outdoor storage renewals only. If a new application is submitted or there are any changes to a property for renewal, the application would need approval from the Planning Commission.

Mr. Hauptert clarified that Mr. Thomas would be the only one looking at the property to issue the renewal of the conditional use permit. When an applicant had to come before the board, all members of the Planning Commission would also look to be sure the property follows the ordinance to renew the permit. Mr. Thomas stated that he and Mr. Henry will be assessing the properties.

Mr. Marong stated that if any member of the board sees anything in question with any of the properties, they should contact the building department when the issue is observed. The report should not be held until the conditional use renewal period. Mr. Thomas clarified that this will not take away any oversight or control, it will just streamline the process for renewals. The adage, "see something, say something," is always in play. Any concerns, please call or send an email to the building official or the Village and the issue will be addressed accordingly.

Mr. Thomas stated that if there are any changes or alterations to a property before the 2-year permit expires, the building official will send the owner a notice that they are in violation of their conditional use permit and they will be referred to the Planning Commission.

Mr. Hauptert likes the idea of streamlining the process but has concerns should there be a change to the building official position. What if a new official does not want to enforce the conditional use conditions? Mr. Marong stated that if this should happen and the board sees items out of compliance not being addressed, Planning Commission would meet with the Mayor and Law Director, and they would have to go back to sending applications to the Planning Commission for approvals.

Mr. McColl, seconded by Mr. Adie, moved to recommend the changes to Section 1147.02 "supplemental standards for specific uses" of Chapter 1147 "non-specific standards" of the Glenwillow Planning and Zoning Code.

**Roll call on the motion: Yeas: Adie, Hauptert, McColl, DeCarlo
4 Yeas, 0 Nays**

4. Review amendments to section 1135.11 "fences, walls, hedges" of Chapter 1135 "single-family residential districts" of the Glenwillow Planning and Zoning Code.

Mr. Thomas stated that the changes to Section 1135.11 add a requirement for residents who want to put up any type of fence along and abutting their property line. The proposal will require a 10-day period where the location of the proposed fence is staked off with string to allow the community to see the location and bring up any objections within this time frame. If any disputes are brought up, it becomes a civil dispute, and no permit will be issued until the dispute is resolved.

Mr. Adie asked if this would apply if a fence were obviously on someone's property, but the neighbor just does not want the fence there. Mr. Thomas stated that this will only apply when the fence is close to the property line and only for property line disputes, it will not be applicable just because the neighbor does not want/like it. Mr. Thomas also stated that if the property is part of an HOA, approval for the fence is still required by the HOA and the application will need to follow zoning and building regulations.

Mr. McColl, seconded by Mr. DeCarlo, moved to recommend the changes to Section 1135.11 "fences, walls, hedges" of Chapter 1135 "single family residential districts" of the Glenwillow Planning and Zoning Code.

**Roll call on the motion: Yeas: Adie, Hauptert, McColl, DeCarlo
4 Yeas, 0 Nays**

5. Discussion on proposed building code changes: Chapter 1301 and 1310.

Mr. Thomas explained that the changes to Chapter 1301 are increases in permit fees as well as a change in how fees are calculated. The fee schedule of \$75 per required inspection was discussed. With the new fee structure, fees will be based on the valuation of the project, the fee will be 1% of the valuation of the cost of the work; this will apply to all trades.

Mr. Marong stated that once the fee changes are passed by Council, Mr. Thomas will put together a cheat sheet for residents, contractors, and commercial entities to follow for the permit fees.

Mr. Adie asked if this would go to the building committee. Mr. Marong responded that it has already gone to committee; all items discussed at this meeting have gone to committee.

Mr. Haupt asked Mr. Thomas if the changes proposed are based on experience or something he created. Mr. Thomas replied that this is a preferred method for assessing permit fees and it has been presented elsewhere and well received.

Mr. Marong explained that the next step for the changes to the zoning legislation, anything beginning with eleven, will be a public hearing at Council; building code changes beginning with thirteen will be on Council's December 6, agenda for passage.

Adjournment

There being no further business to come before the Planning Commission, Jeff Adie, seconded by Scott McColl, moved to adjourn the November 15, 2023, Planning Commission meeting. All in favor. The meeting was adjourned at 6:20 pm.



Planning Commission

2/23/24

Date



Lori Kovach, Planning Commission Secretary