

COMMITTEE REPORT

COMMITTEE: AdHoc Committee
CHAIRPERSON: RJ Winkelhake
DATE/TIME: Thursday, September 11, 2014 5:00 pm

PRESENT:

<input checked="" type="checkbox"/> RJ Winkelhake	<input checked="" type="checkbox"/> John O'Boyle	<input checked="" type="checkbox"/> Robert Heuerman
<input checked="" type="checkbox"/> Ron Mapes	<input checked="" type="checkbox"/> Dan Caswell	<input checked="" type="checkbox"/> Beth Baranski
<input checked="" type="checkbox"/> Mel Gratton	<input checked="" type="checkbox"/> Gary Diedrick	<input checked="" type="checkbox"/> Peter Taylor

Other Board members: Merri Berlage, Rick Dittmar, Steve McIntyre
Others: Linda Delvaux, Melissa Soppe, Mike Dittmar, Lisa McCarthy

1. Roll Call

2. Minutes from August 14, 2014

Beth Baranski motioned to approve the minutes from August 14, 2014. Seconded by Robert Heuerman.
Voice Vote: All Ayes

3. Citizens' Comments.

Mike Dittmar, Village of Elizabeth Mayor states that he is here to address the Home Occupation potential changes.

Lisa McCarthy, Executive Director, TCEDA, states that she is here to address the Home Occupation potential changes.

4. Unfinished Business

i. 8-3: Chapter 3: District Regulations – Address number of variances that have been issued and if that warrants a change in the setback regulations in all districts.

The committee and other county board members discussed the type of variances and the number of variances. **Beth Baranski made a motion to not change the setbacks.**

Seconded by Gary Diedrick. The motion carried by voice vote: Ayes: 9. Nays: 0.

Dan Caswell commented on the Economic Development in the area and how that can relate to Home Occupations. The committee and public discussed this topic.

ii. 8-3A-2: Permitted Uses (Ag District)

1. Add additional permitted use: Family member to build on farm

The committee discussed the request again. **Beth Baranski made a motion to not make a change. Seconded by Ron Mapes.** More discussion took place about density ratio and other options to possibly get what they are looking for in a different way. **The motion failed by voice vote: Ayes: 0. Nays: 9.**

Discussion of ways to deal with this another way were discussed and this is to remain on the agenda as unfinished business. Questions are to be directed to the Building & Zoning Office to review then brought to the next meeting.

5. New Business

a) Establish next meeting date – Next meeting scheduled for Thursday, October 9, 2014 @ 5:00 pm @ Jo Daviess County Highway Department.

b) Review and make recommendations on the following items out of the Jo Daviess County Zoning ordinance.

Moved item xv. up on the agenda due to public here to add information to the request item.

- x. **8-5B-16: Standards, Home Occupations – Add uses or loosen restrictions**
The committee discussed a proposal from Dan Caswell of options to change the standards. Discussion took place among the committee and public.

Beth Baranski left meeting at 6:51 pm

Mel Gratton made a motion to change the Home Occupation standards as reviewed and modified. Seconded by John O’Boyle. The motion carried by voice vote: Ayes: 8. Nays 0. Draft changes are attached as approved.

5. Citizens’ Comments

6. Board Member Concerns

Next meeting on Thursday, October 9, 2014 @ 5:00 pm @ Jo Daviess County Highway Department.

John O’Boyle made a motion to adjourn at 7:15 pm, seconded by Ron Mapes and motion passed.

8-5B-16: HOME OCCUPATIONS:

Home occupations shall be permitted in all districts permitting dwellings subject to the following provisions and the provisions for accessory uses as specified in section [8-5B-1](#) of this article:

A. Restrictions And Limitations:

1. The home occupation shall be incidental and subordinate to the principal residential use of the premises and shall not occupy more than twenty five percent (25%) of the total floor area of the dwelling unit, exclusive of the basement. ~~In addition, a home occupation shall not occupy more than fifty percent (50%) of the floor area of the basement.~~
2. ~~No more than one employee who does~~ The number of employees who do not reside in the house but who may work at the location of the home occupation on any single day shall not constitute a nuisance taking into account the character of the surrounding area or neighborhood. The number of employees that never visit or work at the home occupation location shall not be limited.
3. The majority of sales on the site of a home occupation shall be ~~limited to~~ goods made, assembled or otherwise prepared on the site-, but incidental sale of goods made offsite shall also be allowed. Off premises sales, including sales made by telephone, fax or computer are not prohibited by this title.
4. No exterior display of merchandise sold or used in conjunction with the home occupation shall be allowed.
5. Signs shall comply with [chapter 4, article C](#) of this title. No sign shall exceed two feet (2') in any direction, shall not be illuminated and shall be placed flat against the main wall of the principal residential structure.
6. Materials or equipment used in conjunction with a home occupation shall be wholly enclosed within the dwelling or accessory building.
7. No equipment shall be utilized that creates a nuisance such as noise, vibration, smoke, dust, odor, heat, glare, emissions or electrical interference.
8. No alteration of the exterior of the principal residential structure shall be made which changes the character thereof as a dwelling.
9. No traffic shall be generated by the activity of the home occupation which creates a nuisance taking into account the character of the surrounding area or neighborhood. ~~is abnormal to a residential neighborhood. This provision shall also include the prohibition of regular delivery by trucks in excess of a two (2) ton capacity.~~
10. The following are examples of uses that are permitted; for illustrative purposes: any use(s) not listed shall require approval of the zoning administrator:
 - Art, dancing, and music schools ~~provided that instruction is limited to five (5) pupils at one time.~~
 - Artists' studios and conservatories.
 - Barbershops, beauty shops and tanning salons.
 - Catering.
 - Chimney sweep.

| Contracting - electrical, carpenter, plumbing, heating, painting (~~limit 1 vehicle~~).

Flower arrangement.

Gardening, landscaping (office).

Home crafts and hobbies such as model making, rug weaving, lapidary work, cabinetmaking, etc.

| Housecleaning service (~~limit 1 vehicle~~).

Jewelry making, rock polishing.

| Locksmith (~~limit 1 vehicle~~).

Offices, general, for example, including, but not limited to, offices for realtors, insurance agents, brokers, sales representatives, accounting services, architectural services, consulting services, data processing, drafting and graphic services, engineering services, financial planning, [legal services](#), investment services, [counseling services](#), interior design, tax preparation, typing, word processing services, writing, computer programming services and manufacturing representatives.

| Pet grooming (~~no boarding, training or veterinarian services allowed~~).

| Security service, security systems, auto security systems (~~limit 1 vehicle~~).

Small appliance and electronic repair services.

Small engine repair (lawn and garden).

| Swimming pool cleaning (~~limit 1 vehicle~~).

Tailoring, alterations, and other sewing services.

Telephone answering, switchboard, call forwarding.

Tutoring, music lessons, religious instruction.

Watch, clock, and jewelry repair services.

11. Permitted home occupations shall not in any event include the following:

Adult entertainment establishments.

Antiques - retail.

Automobile and other motor vehicle repair services.

| [Heavy E](#)quipment rental.

Grocery sales.

Undertaking, mortuary and funeral services.

Veterinary clinics, ~~kennels and stables.~~ (Ord. 2009-3, 5-12-2009)

[Kennels](#)