

**OGLESBY PLAN COMMISSION
FEBRUARY 28, 2023**

A PLAN COMMISSION COMMITTEE MEETING WAS HELD ON WEDNESDAY, FEBRUARY 8th, 2023 AT CITY HALL. THE MEETING WAS CALLED TO ORDER AT 6:30 P.M. BY CHAIRMAN FICEK. PRESENT: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND SPELICH ABSENT: ARGUBRIGHT

Chairman Ficek states that a request was made by Patrick Watson to consider a REQUEST TO AMEND ZONING MAP from a B2 Community Retail & Service District to an R2 Single Family Residential. Chairman Ficek states the notice has been posted 15 days prior to the meeting and that the surrounding landowners be notified, all were done noted Chairman Ficek. Mr. Watson states that he is looking to build a house on the proposed land. City Engineer Clinard states that it will be easy to extend city services to the proposed site. Chairman Ficek discusses the uses of the surrounding land. Chairman Ficek states that it will make a nice residential property. Chairman Ficek states there are no issues with the rezoning of this property. City Engineer states that getting access from 251 will be difficult and is not allowed and that the township road will be Mr. Watson's access road. Mr. Watson states that is not his intention. Mayor Rivara states the 251 access will remain the same however. Mr. Watson states that he would like to have the access from 251 removed.

A MOTION WAS MADE BY CLINARD, SECONDED BY GREENING to approve the request to amend zoning map made by Patrick Watson from B2 Community Retail & Service District to an R2 Single Family Residential. AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND SPELICH. ABSENT: ARGUBRIGHT

Attorney Barry advises Mr. Watson that the matter will go before the city council at the next meeting for a vote.

Chairman Ficek states that the minutes from the last Plan Commission meeting need to be voted upon.

A MOTION WAS MADE BY MENTE SECONDED BY MCDERMOTT to accept the minutes from the last Plan Commission meeting. AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND SPELICH. ABSENT: ARGUBRIGHT

Chairman Ficek asks a resident in attendance if they have something to discuss and the resident states they were in attendance to see what was being requested by Mr. Watson.

Chairman Ficek states the next items for discussion are regarding text amendments. Chairman Ficek states there are four items up for review. The first being the maximum height and opacity for fences, berms and walls. A requirement for sidewalks on certain streets dead ending where there is a cul-du-sac, building permits for sidewalks and fencing and a required escrow until everything is completed per the Building Inspector's approval.

Chairman Ficek begins by opening up the discussion regarding the fence heights and opacity. Attorney Barry states that there is a table on page 84 of the Municipal Code book and Chairman Ficek reads from the table. Mr. Clinard states discusses the issue of fences on side yards. Attorney Barry states that the change will be regarding the definition of the front and corner side yard. Mr. Clinard states that the proposal is that a corner side yard fence can be six feet tall and opaque as long it is outside the described limits. Attorney Barry and Jim Clinard review the proposed changes that will be made. Chairman Ficek questions some of Mr. Clinard's changes. Mr. Clinard states there is a drawing in the municipal code book and refers to the verbiage 14.6.14 page 86 . Jason Curran gives his opinion on the proposed changes. Mr. Clinard and Chairman Ficek give examples of existing homes that are currently violating the fence requirements. Jason Curran speaks up from the audience in regards to sidewalk and fence issues. Sarah Vollmer asks if there is a way to pull up building permits to review them for dates? Jason Curran explains the process of building permits and how they are being handled. Rich Greening states that ground markings for fences should not matter. Jason Curran gives details about fencing violations. Chairman Ficek asks what the penalty is for said violations?

A MOTION IS MADE BY VOLLMER, SECONDED BY WATSON to approve the changes to the proposed changes regarding fencing (maximum heights and opacity). AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA, SPELICH. ABSENT: ARGUBRIGHT

Chairman Ficek states the next issue is regarding sidewalks in cul-du-sacs. Chairman Ficek reads the proposed language prepared by Jim Clinard. The language reads that sidewalks may be omitted adjacent to streets ending with a cul-du-sac where the straight portion of the street is only the depth of the corner lot. Mr. Clinard gives background on the proposed change. Chairman Ficek questions the proposed language change. Mr. Clinard gives further explanation. Attorney Barry discusses the proposed language change. Rich Greening questions the language proposal. Jason Curran speaks up on how the issue came about and notes a Safe Route to School grant has been awarded that will help address some of the sidewalk issues in town. A discussion is held amongst the Plan Commission regarding the proposed changes. Jason Curran states this proposal would cause the least impact on residents. Jim Clinard gives the history on ordinance and subdivisions. Attorney Barry states the proposal is cost effective and wouldn't impact safety.

A MOTION IS MADE BY RIVARA, SECONDED BY MENTE to approve the proposed language change regarding eliminating sidewalks in cul-du-sacs where there is only one lot on the side street. NAYS: GREENING, MENTE, VOLLMER, CLINARD, MCDERMOTT, WATSON. AYES: FICEK, RIVARA AND SPELICH. ABSENT: ARGUBRIGHT. Jason Curran asks that if the Plan Commission reject the proposed language that they come up with a plan and Attorney Barry states that is the council's decision. Rich Greening discuss having the city pay for a portion of sidewalk installation. The Plan Commission discusses the proposal.

Chairman Ficek refers to 14.11.19. Attorney Barry states that building permits are not currently required for installation of sidewalks. Jason Curran gives information on what the existing ordinance states and the proposed change. Rich Greening gives his opinion on the proposed change and the council has a discussion on the issue. Jason Curran gives an example that has

occurred on the issue and how having diagrams on the building permit may help solve some of the issues. Chairman Ficek asks about language in 14.11.19 and gives his opinion on adding language. The Plan Commission continue to discuss the current language. Attorney Barry gives his opinion on how the language should read. Jim Clinard reads the definition of the meaning of a structure.

A MOTION IS MADE BY GREENING, NO SECOND MADE BY to add the language that building permits be required for a fence and sidewalk installation in subparagraphs H and I section 14.11.19a1 and also to include in the definition section of structures. AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND SPELICH. ABSENT: ARGUBRIGHT

Jim Clinard states that 14.11.19g needs to be added that refers to the marking of the sidewalks and fences on the grounds that will be part of the building permit. Attorney Barry states that the current permits do not require it. The Plan Commission states markings need to be made to show the Building Inspector and has a discussion of the different types of markings that can be used. Chairman Ficek asks if the fence companies are aware of the requestions to which he is told by Attorney Barry that they are. Jason Curran states it is an additional tool for the Building Inspector. Mr. Curran also gives an example of how a line was hit while digging for a fence. Curran states it will solve some problems. Attorney Barry states there should be visible marking and the Plan Commission discusses the different options that can be used for markings.

A MOTION IS MADE BY WATSON , SECONDED BY GREENING to approve the proper visible marking of the sidewalks and/or fences of their location and of their property lines prior to the construction and until construction is complete. AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND SPELICH ABSENT: ARGUBRIGHT

Attorney Barry brings up the issue of things that are not completed for new builds (examples are sidewalks, grating, etc) and suggest that an escrow be set up and states that he has developed language for that subject. Attorney Barry's suggested language is to change in paragraph one in the letter of occupancy section to read (Chairman Ficek asks if Brian Spelich is the zoning administrator and is told yes). Attorney Barry states that the proposed language states that the applicant must request in writing that the zoning administrator issue a letter of occupancy and also indicates that if things are not completed a deposit of 1 ½ times with the City Clerk's office along with a pledge that within 30 days or onset of the building season but Attorney Barry feels a definitive date should be set and suggest the date of June 1st. Jason Curran states that language was discussed. Jim Clinard states that honest numbers are not always given on building permits.

A MOTION IS MADE BY VOLLMER SECONDED BY SPELICH to approve the language of adding an escrow and occupancy letter. AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND SPELICH. ABSENT: ARGUBRIGHT.

Jason Curran brings up the matter of forcing electrical inspections to be done and gives examples to the Plan Commission.

A MOTION WAS MADE BY CLINARD SECONDED BY RIVARA to adjourn the meeting at 7:58 p.m.
AYES: GREENING, MENTE, VOLLMER, FICEK, CLINARD, MCDERMOTT, WATSON, RIVARA AND
SPELICH ABSENT: ARGUBRIGHT