

**MINUTES
ZONING BOARD OF APPEALS
DECEMBER 14, 2016**

CALL TO ORDER:

Chairperson Rosenthal called the regular meeting of the Zoning Board of Appeals to order at 6:30 PM on Wednesday December 14, 2016 at City Hall, 101 Green Street, Galena, IL.

ROLL CALL AND DECLARATION OF QUORUM:

As Roll Call was:

Baranski	Present
Bochniak	Present
Cook	Absent
Holman	Absent
Jansen	Present
Nybo	Absent
Rosenthal	Present

A quorum was declared.

Zoning Administrator Matt Oldenburg, City Attorney Joe Nack and Zoning Secretary Deb Price were also present.

APPROVAL OF MINUTES

MOTION: Bochniak moved, seconded by Jansen to approve the November 9, 2016 minutes.

Motion carried on voice vote.

OLD BUSINESS

Cal. No. 16S-05, Applicant: Adam Johnson, 211 Fourth Street, Galena, IL 61036 and Owner: Bret Terrell & Kim Eastman – 1141 North West Street, Galena, IL 61036. Location: Parcel: 22-101-007-00, Lots 1,2 & 3, in Block 53 of the Original City of Galena, Jo Daviess County, Illinois. Common Address is 1141 North West Street, Galena, IL 61036. Request for Special Use Permit to allow Outdoor Commercial Entertainment and Commercial Animal Boarding in a Limited Agriculture District. Ratifications of Findings of Fact.

MOTION: Baranski moved, seconded by Bochniak to ratify the Findings of Fact as presented.

As Roll Call was:

Bochniak	Yes
Cook	Absent
Holman	Absent
Jansen	Yes
Nybo	Absent
Baranski	Yes
Rosenthal	Yes

Motion carried.

NEW BUSINESS

Cal. No. 16HCO-03, Applicant and Owner: Tom Wiene, Lockit & Leaveit Storage, Inc., 11401 Dandar Street, Galena, IL 61036. Location: Lot 6 of the Chains & Links Subdivision, part of Section 11, Township 28 North, Range 1 West of the Fourth Principal Meridian, City of Galena, Rawlins Township, Jo Daviess County, Illinois. Common Address: 11401 Dandar Street, Galena, IL 61036. Request for Non-administrative Highway 20 Development Permit to allow construction of storage buildings, in phase, and associated site improvements.
*****PUBLIC HEARING*****

MOTION: Bochniak moved, seconded by Baranski to open the Public Hearing on Cal. No. 16HCO-03.

Motion carried on voice vote.

City Attorney Nack swore in all those persons who wished to testify at this public hearing.

Tom Wiene, 2955 Red Gates Road, Galena said they are looking to build two more units; possibly more in the future. The units would look like the ones that are already on site.

Oldenburg said he had the applicant apply for a phased request so he did not have to come back every time he wanted to construct a new building.

No other persons testified in favor of the request.

No one testified in opposition to the request.

MOTION: Baranski moved, seconded by Jansen to close the Public Hearing on Cal. No. HCO-03.

Motion carried on voice vote.

MOTION: Jansen moved, seconded by Baranski to approve the request as presented for Cal. No. HCO-03.

Discussion: Jansen reviewed the approval criteria:

Approval Criteria & Decision:

Highway 20 Development Permit - The application shall demonstrate that the proposed development will comply with the following:

- (1) All applicable site plan review criteria in § [154.914](#); *Proposal meets all site plan review criteria.*
- (2) The overall context of the corridor and the goals for new development as described in Chapter [III](#) of the Design Manual; *The addition and site improvements support the goals of: Promote residential and business diversity and vitality; Create a quality image of development; Enhance the onsite experience of occupants and visitors of development; and Coordinate access and traffic between properties.*
- (3) The corridor development concepts described in Chapter [IV](#) of the Design Manual; *This improvement supports the encouragement of denser and more highway-oriented development adjacent to limited highway access points. Regarding the Galena “Edge Corridor” Design Character, “encourage design character that is consistent and unifying.” The new buildings will be consistent with the existing development at the site.*
- (4) The proposed character of the applicable design districts as described in Chapter [V](#) of the Design Manual; *This request supports the character of the Hilltop Commercial/Industrial District by: coordinated and shared access and parking, higher density development and controlled access points and high quality site design and amenities.*
- (5) The proposed pattern of development for the Highway 20 Corridor as described in Chapter [VI](#) of the Design Manual; *n/a, site is under 10 acres in size.*
- (6) The standards for building orientation, design and materials as described in Chapter [VII](#) of the Design Manual; *Building siting is established with existing. Access point from Industrial Drive is existing and two new accesses at Technical Drive are acceptable; Highway 20 access from cross street, Industrial Drive. Architectural building standards are met by upholding Midwest regional character with simple forms in a rectangular configuration.*
- (7) The standards for site features and elements as described in Chapter [VII](#) of the Design Manual. *Site signage consists of wall signs; any new signage will require a sign permit. Landscaping points are met and placement is adequate to create visual break between development and right-of-way. Storm water pond is existing and capacity will be verified at Building permit level.*

The Zoning Board of Appeals can approve, conditionally approve, or deny all applications for a Highway 20 development permit.

As Roll Call was:

Cook	Absent
Holman	Absent
Jansen	Yes
Nybo	Absent
Baranski	Yes
Bochniak	Yes
Rosenthal	Yes

Motion carried.

Cal. No. 16S-06, Applicant and Owner: Dennis Miller, 611 South Prospect Street, Galena, IL 61036. Location: Parcel: 22-100-674-03, Lot 23 and 50' x 169' of Lot 21 in Block 11 of the Original City of Galena, Jo Daviess County, Illinois. Common Address is 611 South Prospect Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in a Medium Density Residential District. ***PUBLIC HEARING***

MOTION: Baranski moved, seconded by Bochniak to open the Public Hearing on Cal. No. 16S-06.

Motion carried on voice vote.

City Attorney Nack swore in all those persons who wished to testify at this public hearing.

Dennis Miller, 9359 Powder House Hill Road, Galena said this building was originally a carriage house for the large dwelling at 609 S Prospect Street. Miller converted this into a rental unit years ago and at that time he was able to rent it as a short term vacations style rental as there were no regulations against this. After several years he began renting it as a traditional monthly rental. The property has been updated, it has off street parking and is within walking distance of downtown. It really is a perfect fit – a win/win situation for Galena.

No other persons testified in favor of the request.

No one testified in opposition to the request.

MOTION: Jansen moved, seconded by Bochniak to close the Public Hearing on Cal. No. 16S-06.

Motion carried on voice vote.

MOTION: Bochniak moved, seconded by Jansen to approve the request as presented for Cal. No. 16S-06.

Discussion: Bochniak and Baranski agreed that this property is ideal as a short term rental property.

Rosenthal said this has been a rental of some sort ever since Miller purchased the property so having a vacation rental really won't be much different.

Bochniak reviewed the approval criteria:

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. ***The proposed plan meets the site plan review standards.***

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; ***This proposed use meets the district standards.***

(3) *Specific standards.* The land use regulations established in § 154.406; ***The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).***

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. ***Complimentary uses are available to the project.***

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. ***The proposed use will protect the privacy of adjacent properties.***

(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. ***There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.***

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. ***The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.***

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact

should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

As Roll Call was:

Holman	Absent
Jansen	Yes
Nybo	Absent
Baranski	Yes
Bochniak	Yes
Cook	Absent
Rosenthal	Yes

Motion carried.

Cal. No. 16S-07, Applicant: Ryan Dies, 112 North Main Street, Galena, IL 61036, and Owner: Mordechai Saban, 800 Clinton Street, Galena, IL 61036. Location: Parcel: 22-100-082-00, N ½ of Lot 46, Original Lots between Main and Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 112 North Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District.

*****PUBLIC HEARING*****

MOTION: Baranski moved, seconded by Bochniak to open the Public Hearing on Cal. No. 16S-07.

Motion carried on voice vote.

City Attorney Nack swore in all those persons who wished to testify at this public hearing.

Ryan Dies, 112 N Main Street, Galena said he operates a café from this location. He does not own the building but he is hoping one day it will be possible for him to purchase the property. Being allowed to operate a short term vacation rental would help make this possible. The SUP would allow him to have a vacation rental on the 2nd floor and a traditional rental on the third floor.

Bochniak asked if parking was allowed in the alley.

Oldenburg said no but they do have a garage they can utilize.

No other persons testified in favor of the request.

No one testified in opposition to the request.

MOTION: Baranski moved, seconded by Bochniak to close the Public Hearing on Cal. No. 16S-07.

Motion carried on voice vote.

MOTION: Baranski moved, seconded by Jansen to approve the request as presented for Cal. No. 16S-07.

Discussion: Baranski said this property is just the type the Zoning Board had in mind when crafting the text amendment. More people will be attracted to the downtown area. This is a good choice and a good use of the building.

Baranski reviewed the approval criteria:

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. ***The proposed plan meets the site plan review standards.***

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; ***This proposed use meets the district standards.***

(3) *Specific standards.* The land use regulations established in § 154.406; ***The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).***

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. ***Complimentary uses are available to the project.***

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. ***The proposed use will protect the privacy of adjacent properties.***

(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. ***There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.***

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. ***The***

design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

As Roll Call was:

Jansen	Yes
Nybo	Absent
Baranski	Yes
Bochniak	Yes
Cook	Absent
Holman	Absent
Rosenthal	Yes

Motion carried.

Cal. No. 16S-08, Applicant and Owner: Warren Bell and Kathleen Cameron, 404 South Dodge Street, Galena, IL 61036. Location: Parcel: 22-100-644-00, Lot 2 and N ½ of Lot 3, Block 10 in the Original Lots of Galena, Jo Daviess County, Illinois. Common Address is 404 South Dodge Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Low Density Residential District.
*****PUBLIC HEARING*****

MOTION: Bochniak moved, seconded by Baranski to open the Public Hearing on Cal. No. 16S-08.

Motion carried on voice vote.

City Attorney Nack swore in all those persons who wished to testify at this public hearing.

Warren Bell, 22135 92nd Street, Maquoketa IA stated the property has been completely rehabilitated. It is modern but historic. Originally this was the Illinois Brewery. The fermentation cellars are still present. The property has been for sale but if the SUP is approved they will take it off the market. The 2 bed, 2 ½ bath single family home is in the historic district, it is federal style has a 2 car garage behind the home and a driveway to provide off street parking.

Baranski asked how they would handle rentals since they are living out of town.

Bell said they would be hiring someone to handle these duties.

No other persons testified in favor of the request.

No one testified in opposition to the request.

MOTION: Bochniak moved, seconded by Baranski to close the Public Hearing on Cal. No. 16S-08.

Motion carried on voice vote.

MOTION: Jansen moved, seconded by Bochniak to approve the request as presented for Cal. No. 16S-08.

Discussion: Jansen said he has been in the home – it is beautiful and visitors will enjoy staying here.

Bochniak reviewed the approval criteria:

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. ***The proposed plan meets the site plan review standards.***

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; ***This proposed use meets the district standards.***

(3) *Specific standards.* The land use regulations established in § 154.406; ***The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).***

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. ***Complimentary uses are available to the project.***

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. ***The proposed use will protect the privacy of adjacent properties.***

(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. ***There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.***

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same

zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. *The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.*

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

As Roll Call was:

Nybo	Absent
Baranski	Yes
Bochniak	Yes
Cook	Absent
Holman	Absent
Jansen	Yes
Rosenthal	Yes

Motion carried.

Cal. No. 16S-09, Applicant: David and Sarah Slanders, 407 Wight Street, Galena, IL 61036, and Owner: John and Andrea Kenna, 223 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-040-00, S 21' of Lot 30, Original Lots between Main and Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 223 South Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District. ***PUBLIC HEARING***

MOTION: Bochniak moved, seconded by Jansen to open the Public Hearing on Cal. No. 16S-09.

Motion carried on voice vote.

City Attorney Nack swore in all those persons who wished to testify at this public hearing.

David Slanders, 407 Wight Street, Galena said he and his wife Sarah moved to Galena around the first of the year. They have been looking for a property since the City began discussions about short term rentals. They have become immersed in Galena – their children attend Galena schools; he joined the fire department and once they decided they would stay here they started looking for a building. The long term goal is to update the apartments which involves mostly cosmetic work. The property will still be a rental much as it has been since Jack and Andrea Kenna purchased the property 30 years ago.

No other persons testified in favor of the request.

No one testified in opposition to the request.

MOTION: Jansen moved, seconded by Bochniak to close the Public Hearing on Cal. No. 16S-09.

Motion carried on voice vote.

MOTION: Bochniak moved, seconded by Jansen to approve the request as presented for Cal. No. 16S-09.

Discussion: Bochniak reviewed the approval criteria:

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. ***The proposed plan meets the site plan review standards.***

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; ***This proposed use meets the district standards.***

(3) *Specific standards.* The land use regulations established in § 154.406; ***The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).***

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. ***Complimentary uses are available to the project.***

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. ***The proposed use will protect the privacy of adjacent properties.***

(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. ***There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.***

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. ***The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.***

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

As Roll Call was:

Baranski	Yes
Bochniak	Yes
Cook	Absent
Holman	Absent
Jansen	Yes
Nybo	Absent
Rosenthal	Yes

Motion carried.

Cal. No. 16S-10, Applicant and Owner: James and Beverly Jones, 307 South Main Street, Galena, IL 61036. Location: Parcel: 22-100-032-00, S 1/2 of Lot 26, Original Lots between Main and Bench Streets, Galena, Jo Daviess County, Illinois. Common Address is 307 South Main Street, Galena, IL 61036. Request for Special Use Permit to allow Accommodations, Vacation Rental in the Downtown Commercial District. ***PUBLIC HEARING***

MOTION: Bochniak moved, seconded by Baranski to open the Public Hearing on Cal. No. 16S-10.

Motion carried on voice vote.

City Attorney Nack swore in all those persons who wished to testify at this public hearing.

Bev Jones, 27-6 Shadowridge, Lake Carroll, IL said she and her husband would like to convert one unit in their building to a short term rental and so they are requesting a Special Use Permit.

No other persons testified in favor of the request.

No one testified in opposition to the request.

MOTION: Baranski moved, seconded by Jansen to close the Public Hearing on Cal. No. 16S-10.

Motion carried on voice vote.

MOTION: Baranski moved, seconded by Bochniak to approve the request as presented for Cal. No. 16S-10.

Discussion: Baranski reviewed the approval criteria:

Approval Criteria & Recommendation:

The purpose of a special use review is to provide an opportunity to utilize property for an activity, which under usual circumstances, could be detrimental to other permitted uses and which normally is not permitted within the same district. A special use may be permitted under circumstances particular to the proposed location and subject to conditions that provide protection to adjacent land uses. A special use is not a use by-right and one that is otherwise prohibited without approval of a special use permit.

The application shall demonstrate that the proposed development will comply with the following:

(1) *Site plan review standards.* All applicable site plan review criteria in § 154.914. ***The proposed plan meets the site plan review standards.***

(2) *District standards.* The underlying zoning district standards established in § 154.201 through § 154.209 including the defining characteristics of the district; ***This proposed use meets the district standards.***

(3) *Specific standards.* The land use regulations established in § 154.406; ***The proposed use meets the specific standards established in §154.015, §154.403.1 and §154.406(D)(18).***

(4) *Availability of complementary uses.* Other uses complementary to, and supportive of, the proposed project shall be available including, but not limited to: schools, parks, hospitals, business and commercial facilities, and transportation facilities. ***Complimentary uses are available to the project.***

(5) *Compatibility with adjoining properties.* Compatibility with and protection of neighboring properties through measures such as:

(a) *Protection of privacy.* The proposed plan shall provide reasonable visual and auditory privacy for all dwelling units located within and adjacent to the site. Fences, walls, barriers and/or vegetation shall be arranged to protect and enhance the property and to enhance the privacy of on-site and neighboring occupants. ***The proposed use will protect the privacy of adjacent properties.***

(b) *Protection of use and enjoyment.* All elements of the proposed plan shall be designed and arranged to have a minimal negative impact on the use and enjoyment of adjoining property. ***There is no change to the physical aspect of the existing development and therefore should have a minimal impact on the use and enjoyment of adjacent properties.***

(c) *Compatible design and integration.* All elements of a plan shall coexist in a harmonious manner with nearby existing and anticipated development. Elements to consider include: buildings, outdoor storage areas and equipment, utility structures, building and paving coverage, landscaping, lighting, glare, dust, signage, views, noise, and odors. The plan must ensure that noxious emissions and conditions not typical of land uses in the same zoning district will be effectively confined so as not to be injurious or detrimental to nearby properties. ***The design and integration of the proposed use has no projected impact on adjacent properties regarding nuisances. The impact of the number of guests is congruent with a residential use at the site.***

The Zoning Board of Appeals can grant, conditionally grant, or deny all applications for a Special Use Permit or an amendment thereof. If the Board would like to grant the request, a motion to draft Findings of Fact should be entertained. The Findings of Fact will then be presented for final consideration at the next Board meeting.

As Roll Call was:

Bochniak	Yes
Cook	Absent
Holman	Absent
Jansen	Yes
Nybo	Absent
Baranski	Yes
Rosenthal	Yes

Motion carried.

COUNTY ZONING

None

WORKSESSION/OTHER

None

PUBLIC COMMENTS

Ryan Dies commented that he hoped traditional renters would not be displaced by the short term vacation rental approvals.

MOTION: Bochniak moved, seconded by Jansen to adjourn the meeting at 7:25pm.

Motion carried on voice vote.

Respectfully submitted by

Deb Price
Zoning Board Secretary