



**MINUTES
MEETING OF VILLAGE OF FRANKFORT
PLAN COMMISSION / ZONING BOARD OF APPEALS
FEBRUARY 10, 2022–VILLAGE ADMINISTRATION BUILDING
432 W. NEBRASKA STREET**

Call to Order: Chair Rigoni called the meeting to order at 6:32 P.M.

Commissioners Present: Chair Maura Rigoni, Dan Knieriem, Will Markunas, Nichole Schaeffer

Commissioners Absent: David Hogan, Ken Guevara, Lisa Hogan (Resigned)

Staff Present: Senior Planner Christopher Gruba, Director of Building Services Adam Nielsen, Director of Community and Economic Development Mike Schwarz

Elected Officials Present: None

Chair Rigoni noted that there were no members of the public in attendance.

A. Approval of the Minutes from January 27, 2022

Motion (#1): Approval of the minutes, as presented, from January 27, 2022

Motion by: Knieriem Seconded by: Markunas

Approved: (4 to 0)

B. Election of Officers – Acting Chair

Chair Rigoni summarized the reason for the agenda item and solicited input from the Commission. There was consensus that the position can be rotated among the members. Director Schwarz stated that there is nothing in the Municipal Code or Zoning Ordinance to provide direction on appointment of the Acting Chair in the absence of the Chair, but *Robert's Rules of Order* does provide some direction. Chair Rigoni and Director Schwarz stated that they will research the existence of Bylaws for the PC/ZBA. Chair Rigoni asked that any policy be checked for legal compliance since the PC/ZBA is authorized under the State Statute.

C. Public Hearing: Village of Frankfort Zoning Ordinance Text Amendment – Accessory Uses & Structures

Senior Planner Gruba presented a summary of the proposed Text Amendment. Briefly summarized, he reviewed the major substantive changes:

- The maximum size for pergolas, cabanas, trellises, arbors and gazebos would increase from 144 to 250 square feet.

- The maximum size of a detached garage would be limited to no larger than the footprint of the house/primary structure.
- For clarity, seven (7) illustrations would be added to the *Definitions* section of the Zoning Ordinance for pergolas, cabanas, trellises, gazebos, sheds, greenhouses and outdoor fireplaces.
- Regulations would be added regarding accessory structures on A-G zoned property to reflect how they have historically been interpreted and enforced by staff.
- The method of calculating area would be clarified to reflect how it has historically been interpreted and enforced by staff.
- The definition of “building height” would be clarified to reflect how it has historically been interpreted and enforced by staff. This would apply to both primary structures and accessory structures.
- The setback for flagpoles would be increased from 0’ to 5’.
- The following regulations would be added for sports courts:
 - Sports courts would only be permitted in residential zone districts and the H-1 zone district when used as a single-family residence.
 - Sports courts 650 square feet and under would be permitted by-right.
 - Sports courts over 650 square feet would require a special use permit.
 - Only 1 sports court would be permitted per lot.
 - Sports courts shall only be permitted in the rear yard.
 - Sports courts shall be set back at least 10’ from side and rear property lines.
 - Sports courts shall count toward impervious lot coverage, but not toward building lot coverage.
 - Sports courts shall be screened in the same manner as swimming pools (utilizing existing swimming pool screening language).
 - Sports courts shall not be illuminated.
 - Sports courts shall only have one goal.
 - No appurtenances shall be over 15’ in height.

Gruba noted that other parts of the code would be reorganized, but the substance of the text would not change, including, but not limited to:

- The maximum size for sheds, child playhouses, outdoor fireplaces and greenhouses would remain at 144 square feet.
- The minimum 10’ setback would remain for side and rear setbacks for all accessory structures.
- The maximum height of 15’ would remain for all accessory structures.
- The minimum separation distance between accessory structures and from the primary structure would remain at 10’.
- Any other accessory structure not specifically listed in the Ordinance shall be treated as a typical accessory structure and shall not exceed 144 square feet in area.

Commissioner Knieriem asked how playhouse structures are measured. Director of Building Services Nielsen responded that the Building Department staff typically draws an imaginary box around all the elements of the playhouse, slide, etc. Knieriem asked if staff has seen anyone wanting to come in with modular backyard offices.

Gruba and Nielsen replied no. Gruba summarized the new sport court provisions. Schwarz asked if hockey rinks would even meet the definition of a structure. Chair Rigoni stated that the Zoning Ordinance has been silent on this. Chair Rigoni thanked staff for all of their work on this Text Amendment. Chair Rigoni asked if there were any questions from the Commission. There were none.

Motion (#2): Motion to close the public hearing.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (4 to 0)

Motion (#3): Motion to recommend to the Village Board approval of the proposed Text Amendment to the Zoning Ordinance related to accessory uses and structures.

Motion by: Knieriem

Seconded by: Schaeffer

Approved: (4 to 0)

D. Public Hearing: Village of Frankfort Zoning Ordinance Text Amendments – Indoor Recreation, Indoor Entertainment, Outdoor Recreation, Outdoor Entertainment

Director Schwarz presented a summary of the proposed Text Amendment. He noted that the following changes have been made following the workshop held on January 27th:

- “Trampoline facility” has been added to the list of uses in the definition of “Indoor Entertainment”.
- “Axe throwing” has been added to the list of uses in the definition of “Indoor Entertainment” (this was noted as a correction not reflected in the agenda packet).
- “Obstacle course” has been added to the list of uses in the definitions of “Indoor Entertainment” and “Outdoor Entertainment”.
- “Museum” has been removed from the list of uses in the updated definition of “Indoor Entertainment” since this is accommodated in the category of “Indoor civic, cultural, religious and institutional” uses in the Table of Permitted and Special Uses.
- “Movie theatre” has been removed from the list of uses in the definition of “Indoor Entertainment” since “Theatre” is already separately listed in the Table of Permitted and Special Uses (this was noted as a correction not reflected in the agenda packet).

Director Schwarz reiterated that there are no proposed changes to the Table of Permitted and Special Uses other than the name of the headings in the first column. Chair Rigoni asked if there were any questions from the Commission. Commissioner Knieriem asked why the recreation and entertainment activities were being separated. Director Schwarz responded that this was discussed with the Village Administration and the intent is to more clearly identify the types of activities in the definitions so that there is more clear distinction in terms of which activities are permitted when a

particular Special Use Permit is granted.

Motion (#4): Motion to close the public hearing.

Motion by: Knieriem Seconded by: Schaeffer

Approved: (4 to 0)

Motion (#5): Motion to recommend to the Village Board approval of the proposed Text Amendment to the Zoning Ordinance related to accessory uses and structures.

Motion by: Knieriem Seconded by: Markunas

Approved: (4 to 0)

E. Public Comments

Chair Rigoni noted that there were no members of the public in attendance.

F. Village Board & Committee Updates (out of order from agenda)

Schwarz noted that the following matters that previously came before the PC/ZBA were approved by the Village Board at its meeting on February 7th:

- Sign Ordinance Amendment: Chapter 151 - Electronic Order/Menu Boards and Gas Station Price Signs
- Millineum-Kyle Holdings: 22791 S. Challenger Road (Lots 10, 11, and 21)
 - a. Special Use Permit for Outdoor Storage - Ordinance
 - b. Final Plat Approval
- Chelsea Intermediate School: 22265 S. 80th Avenue
 - a. Special Use Permit for Elementary School - Ordinance
 - b. Fence Design Variance - Ordinance (Waive 1st and 2nd Readings)
 - c. Final Plat of Subdivision - Approval
- Special Use Permit for Massage Establishment: 20499 S. LaGrange Road - Ordinance

G. Other Business

Chair Rigoni noted that there was no other business.

H. Attendance Confirmation (February 24, 2022)

Chair Rigoni asked the Commissioners to notify staff if they will not be in attendance.

Motion (#6): Adjournment 7:06 P.M.

Motion by: Knieriem Seconded by: Schaeffer

Unanimously approved by voice vote.

Approved February 24, 2022

As Presented X As Amended _____

Maura A. Rigoni /s/Maura Rigoni, Chair

Christopher Spala s/ Secretary