



Meeting Agenda

Location:

Village Hall -
10631 Main Street
Roscoe, IL 61073

Zoning Board of Appeals
Wednesday, December 11, 2024
5:30 PM

CALL TO ORDER**ROLL CALL****APPROVAL OF MINUTES**

- 1. Approval of the Minutes** for the meeting of the Zoning Board of Appeals from **November 13, 2024**.

NEW BUSINESS

- 2. ZBA 2024-018: Discussion and Approval** of the **2025 regular meeting dates** for the Zoning Board of Appeals.
- 3. ZBA 2024-017: Public Hearing for Approval** of a **Planned Unit Development (PUD)** for the properties located at **13000 and 13019 N 2nd Street (PIN 04-21-151-004 & 04-21-151-005)**

{Applicant: Rogue Event Rentals LLC}

OLD BUSINESS

- 4. ZBA 2024-015: Discussion and Recommendation** for a **Text Amendment** revising the Village of Roscoe Zoning Ordinance **Sections 15-516, 15-517 and 15-752** relating to **Accessory Buildings and Accessory Structures**.
- 5. ZBA 2024-016: Discussion and Recommendation** for a **Text Amendment** revising the Village of Roscoe Zoning Ordinance **Section 15-555 and 15-409** relating to **Solar Energy Collection Systems**.

PUBLIC COMMENT (Limited to 3 minutes per speaker)**ADJOURNMENT**



Meeting Minutes

Location:

Village Hall -
10631 Main Street
Roscoe, IL 61073

Zoning Board of Appeals
Wednesday, November 13, 2024
5:30 PM

CALL TO ORDER

The meeting was called to order at 5:30pm by Chair Durstock.

ROLL CALL

PRESENT

Chairman Jay Durstock
Member Laura Baluch
Member Brad Hogland
Member Dayne Mead
Member Melissa Smith
Member George Wagaman

ABSENT

Member Ryan Swanson
Village Clerk Stephanie Johnston

STAFF

Josef Kurlinkus - Village Administrator
Evan Hoier - Zoning Administrator (Vandewalle & Associates)

APPROVAL OF MINUTES

1. **Approval of the Minutes** for the meeting of the Zoning Board of Appeals from **October 9, 2024.**

Motion: A motion was made to approve the Minutes of the October 9, 2024 ZBA Meeting.

Motion made by Member Baluch, Seconded by Member Mead.

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Wagaman

Minutes approved 6-0-0.

NEW BUSINESS

2. ZBA 2024-012: **Public Hearing** for a **Map Amendment from the UT: Urban Transition District to the IL: Light Industrial District** for a property commonly known as **13000 & 13019 N. 2nd Street** (PIN: 04-21-151-004 & 04-21-151-005).
[Applicant: Rogue Event Rentals LLC]

Chairman Durstock opened the Public Hearing for a Map Amendment from the UT: Urban Transition District to the IL: Light Industrial District.

The Village's Zoning Consultant Evan Hoier presented the staff report on the proposal to rezone two properties, set for annexation into the Village, to Light Industrial. The amendment aims to accommodate an 11,500-square-foot indoor storage facility for an event rental business, ensuring compliance with zoning bulk standards.

The applicant presented to the Board through Kaycee Chadwick (attorney) and Alex Blondin (business owner) - emphasizing the project's compatibility with the area and detailed plans for office use, equipment cleaning, and indoor storage.

There was no additional testimony, and Chairman Durstock closed the public hearing.

The ZBA discussed the change, and determined that it is compatible with the surrounding properties and would ensure the properties are beholden to certain zoning bulk minimums and maximums.

MOTION: Motion made by Member Hogland, Seconded by Member Baluch to recommend approval of a Map Amendment from the UT: Urban Transition District to the IL: Light Industrial District for a property commonly known as 13000 & 13019 N. 2nd Street (PIN: 04-21-151-004 & 04-21-151-005).

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Wagaman.

Motion Approved: 6-0-0

3. ZBA 2024-013: **Design Review** for Approval of a **5,354 SF Four Family Residential Structure** located at **Lot 031 Malott Farm** (PIN: 08-04-251-010).
[Applicant: Ambassador Homes]

Staff Report: The Village's Zoning Consultant Evan Hoier presented the staff report and explained the project's compatibility with multifamily zoning and detailed architectural features like navy blue siding and black shingles.

Applicant Presentation: Darko Gligorevic described the "flat-over-flat" design, addressing driveway challenges and ensuring aesthetic consistency with the neighborhood.

Board Discussion: ZBA Members discussed the project, specifically noting the thoughtful design and its potential to revitalize the area.

MOTION Motion made by Member Mead, Seconded by Member Hogland to recommend design approval of the a **5,354 SF Four Family Residential Structure** located at **Lot 031 Malott Farm Subdivision** (PIN: 08-04-251-010).

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Wagaman

Motion Approved: 6-0-0

4. ZBA 2024-014: **Design Review** for Approval of an **ADA Accessible Ramp** located at **10915 Main Street** (PIN: 04-33-404-001).
[Applicant: Matt Nichols]

Staff Report: The Village's Zoning Consultant Evan Hoier presented the staff report, and noted the ramp was built before obtaining permits but complied with ADA standards and zoning regulations.

Applicant's Representative: Brent Blair (attorney) acknowledged the oversight and highlighted the ramp's quality and community benefit.

Board Discussion: Members confirmed compliance with ADA requirements and setbacks. It was noted that due to the zoning and use change of the property, that the building setbacks are currently legal non-conforming for commercial use.

Motion: Motion made by Member Baluch, Seconded by Member Smith to approve **Design Review** of an **ADA Accessible Ramp** located at **10915 Main Street** (PIN: 04-33-404-001).

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Wagaman

Motion Approved: 6-0-0

5. ZBA 2024-015: **Public Hearing** for a **Text Amendment** revising the Village of Roscoe Zoning Ordinance **Sections 15-516, 15-517 and 15-752** relating to **Accessory Buildings and Accessory Structures**.

The Village's Zoning Consultant Evan Hoier that this is part of a review by their firm to review the code and identifying areas for improvements to the current code and clarification to assist in implementation and enforcement.

Mr. Hoier presented a proposed text amendment to the village's zoning ordinance, focusing on accessory buildings and structures. The changes aim to clarify and streamline the code, defining accessory structures and the number of accessory buildings allowed. The amendment also streamlines the permitting process for smaller accessory buildings, requiring a building permit for structures over 100 square feet. The village discussed the definitions of accessory structures, including recreational structures like swing sets, and clarified that no more than two accessory structures per parcel are allowed. The changes were seen as a response to gaps and conflicts in the existing code, which were identified during the implementation of the new zoning code in 2021.

The Board discussed the proposal for stricter zoning rules regarding accessory structures such as gazebos, pergolas, and recreational structures. They agreed that these structures should not be too close to the property lines or fences, and should not exceed a certain size. They also discussed the possibility of limiting the number of such structures on a property. The idea of making some structures temporary or movable was also brought up to address concerns about clutter and space. The team agreed to work on refining the proposal, particularly in terms of defining what constitutes a permanent structure and how to handle smaller, temporary structures.

Mr. Hoier and members of the ZBA discussed the zoning permit requirements for accessory structures. Village expressed concern about the potential for misuse if the permit requirement was lowered to 100 square feet, as it could lead to the placement of any piece of junk in a yard. Mr. Hoier suggested flipping the requirement, where structures under 200 square feet or 100 square feet for an accessory structure would not need a zoning permit or a building permit. The members of the ZBA agreed that this could provide more flexibility with the structure while still maintaining some restrictions.

The Board further discussed the need for more stringent rules and clearer definitions regarding the placement of sheds and other accessory structures in residential areas. They agreed on the importance of setting specific setbacks to prevent encroachment on neighboring properties and to address potential complaints. The team also acknowledged the need to consider lot sizes and existing structures when implementing new rules. They recognized the challenge of enforcing rules on existing structures and the potential for future conflicts.

The ZBA concluded the discussion with a request to Mr. Hoier to make updates to the draft language to address some of the concerns raised during the discussion. Mr. Hoier will propose additional revisions, and present the proposed changes at the next meeting of the ZBA.

6. **ZBA 2024-016: Public Hearing for a Text Amendment** revising the Village of Roscoe Zoning Ordinance **Section 15-555 and 15-409** relating to **Solar Energy Collection Systems**.

Mr. Hoier presented a proposed text amendment to the village's zoning ordinance, focusing on related to solar energy collection systems. The aim was to better define the use of solar energy collection, scale it out for larger lots, and set standards for fencing and height. The ordinance was also made a special use permit for residential properties to have private solar panel collection systems, including the need for flexible landscaping around solar panels to maintain the village's aesthetic appeal. However, the specific details of the landscaping requirements were not finalized during the meeting.

The members of the Board discussed the need for specific provisions for landscaping and screening in their zoning code. They agreed that the code should require screening for all properties, but the specifics of the screening should be determined on a case-by-case basis. They decided to add a special use permit for screening, which would allow property owners to present their specific screening plans to the board for approval. The goal was to avoid having to classify certain properties as variances, which could be time-consuming and difficult. They also discussed the need for natural screening, such as trees, and how this could be incorporated into the code.

There was also discussion about the need for size limitations or restrictions of solar panels in residential areas. They agreed that there should be no restrictions on the number of solar panels or the size of the field, as long as they are within the 200 square feet limit for accessory structures. They also discussed the setback requirement of 35 feet for these structures. Members expressed concern about potential future regulations forcing them to allow certain installations, but Mr. Hoier reassured them that he was not aware of any such requirements. They decided to focus on creating a code that works well for the village without worrying about future regulations. They also discussed the issue of tall trees obstructing visibility of solar panel installations, but no definitive solution was reached.

OLD BUSINESS

none.

PUBLIC COMMENT (Limited to 3 minutes per speaker)

none.

ADJOURNMENT

A motion to adjourn was made by by Member Baluch, Seconded by Member Wagaman.

Voting Yea: Chairman Durstock, Member Baluch, Member Hogland, Member Mead, Member Smith, Member Wagaman

The meeting was adjourned at 6:45 PM.

2025 ZBA Meeting Dates

Item # 2.

Wednesday, January 8, 2025
 Wednesday, February 12, 2025
 Wednesday, March 12, 2025
 Wednesday, April 9, 2025
 Wednesday, May 14, 2025
 Wednesday, June 11, 2025

Wednesday, July 9, 2025
 Wednesday, August 13, 2025
 Wednesday, September 10, 2025
 Wednesday, October 8, 2025
 Wednesday, November 12, 2025
 Wednesday, December 10, 2025

January 01

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
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February 02

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March 03

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April 04

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May 05

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June 06

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July 07

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August 08

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September 09

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October 10

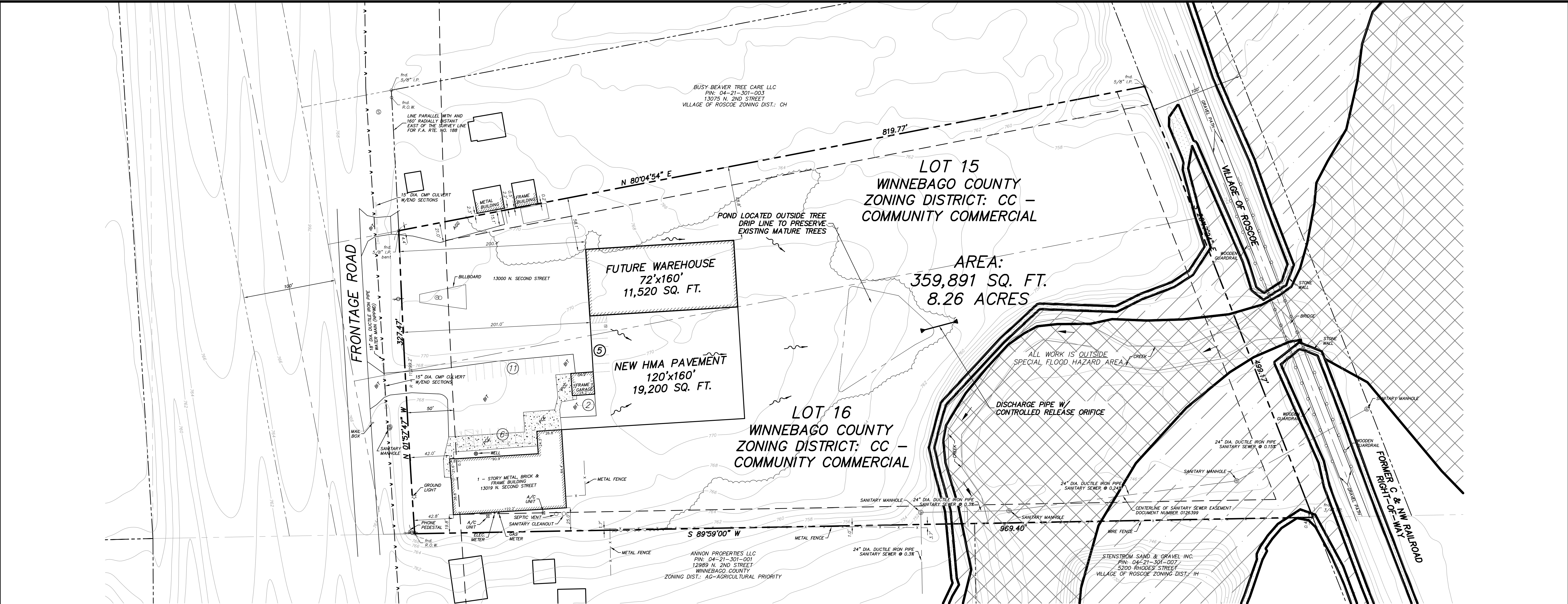
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November 11

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December 12

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LEGAL DESCRIPTIONS:

13000 NORTH SECOND STREET

Lot Fifteen (15) as designated upon the Plat of Highway Heights, being a part of the Northwest Quarter (1/4) of Section 21, Township 46 North, Range 2 East of the Third (3rd) Principal Meridian, the Plat of which is recorded in Book 22 of Plat Records on Page 162 in the Recorder's Office of Winnebago County, Illinois; EXCEPTING that part Deeded to the State of Illinois for roadway purposes as shown in Book 937 on Page 19; situated in the County of Winnebago and State of Illinois; AND

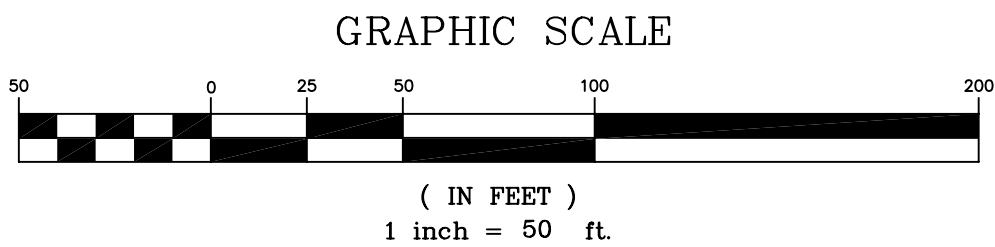
13019 NORTH SECOND STREET

Lot Sixteen (16) as designated upon the Plat of Highway Heights, being a part of the Northwest Quarter (1/4) of Section 21, Township 46 North, Range 2 East of the Third (3rd) Principal Meridian, the Plat of which is recorded in Book 22 of Plat Records on Page 162 in the Recorder's Office of Winnebago County, Illinois; EXCEPTING that part Deeded to the State of Illinois for roadway purposes as shown in Book 937 on Page 19; situated in the County of Winnebago and State of Illinois.

PARKING SPACES:		REQUIRED YARDS AND SETBACKS:		PROPOSED YARDS AND SETBACKS:	
EXISTING STANDARD:	19	FRONT YARD:	1/2 R.O.W. OR 50 FT.	FRONT YARD:	50 FT. - SOUTHWEST CORNER
EXISTING ACCESSIBLE:	2		WHICHEVER IS GREATER		OF EXISTING BUILDING ENCROACHES
PROPOSED STANDARD:	5	SIDE YARD:	10 PERCENT OF LOT WIDTH	SIDE YARD:	20'
PROPOSED ACCESSIBLE:	1	REAR YARD:	NOT REQUIRED MORE THAN 20 FT.	REAR YARD:	30 FT.
FLOOR AREA RATIO:		LOT AREA COVERAGE:		DRY BOTTOM DETENTION POND	
				(SIZED FOR NEW IMPERVIOUS SURFACE)	
EXISTING BUILDINGS:				DISCHARGE INV.: 762.00	
PROPOSED BUILDING:				OVERFLOW SPILLWAY ELEV.: 765.75	
LOT AREA:					

LEGEND	
⊠AC BT △CA ⊠CI ⊠CO ⊠EP ⊠PH ⊠QL ⊠GW ⊠LP ⊠HB ⊠PC ⊠RD ⊠SSA ⊠SN ⊠ST(O) ⊠ST(C) ⊠TP ⊠UP ⊠WS ⊠WV	AIR CONDITIONING UNIT BITUMINOUS SURFACE CABLE TV PEDESTAL CURB INLET (STORM SEWER) SANITARY CLEANOUT ELECTRIC PEDESTAL FIRE HYDRANT GROUND LIGHT GUY WIRE LIGHT POLE MAILBOX ROOFLAND CONCRETE CEMENT ROOF DRAIN OUTLET SANITARY SEWER MANHOLE SIGN STORM SEWER OUTLET STORM SEWER MANHOLE (CLOSED LID) STORM SEWER MANHOLE (OPEN LID) TELEPHONE PEDESTAL UTILITY POLE WATER SPIGOT WATER VALVE
	SCALED LOCATION OF FEMA REGULATORY FLOODWAY
	SCALED LOCATION OF FEMA ZONE AE 1% ANNUAL CHANCE OF FLOOD
	SCALED LOCATION OF FEMA ZONE X 0.2% ANNUAL CHANCE OF FLOOD

SITE PLAN
FOR
VILLAGE OF ROSCOE
PLANNED UNIT DEVELOPMENT
PART OF LOTS 15 & 16
PLAT OF HIGHWAY HEIGHTS SUBDIVISION
PART OF THE NORTHWEST 1/4 OF SECTION
21-46-2 EAST OF THE THIRD PRINCIPAL MERIDIAN
WINNEBAGO COUNTY, ILLINOIS
NOVEMBER 2024



BEARING BASIS: PLAT OF
HIGHWAY HEIGHTS

PREPARED BY:
R.K. JOHNSON & ASSOCIATES, INC.
CONSULTING CIVIL ENGINEERS - LAND SURVEYORS
1515 WINDSOR ROAD LOVES PARK, ILLINOIS 61111
(815) 633-5097 - www.rkjohnsonassociates.com
ILLINOIS PROFESSIONAL DESIGN FIRM LICENSE NO. 184-004994
NOVEMBER 13, 2024 JOB NO. 18508
PREPARED FOR: ALEX BLONDIN
SHEET 1 OF 1

Zoning Board of Appeals Meeting of December 11, 2024**Application No. ZBA 2024-015****Applicant:** Village of Roscoe**Location:** N/A**Requested Action:** **Discussion and Recommendation** for a **Text Amendment** revising the Village of Roscoe Zoning Ordinance **Sections 15-516, 15-517 and 15-752** relating to **Accessory Buildings and Accessory Structures**.**Existing Use:** N/A**Proposed Use:** N/A**Existing Zoning:** N/A**Adjacent Zoning:** N/A

Background: This request is an updated iteration of the text amendments presented at the November 13th Zoning Board of Appeals meeting. At this past meeting, the ZBA considered amendments regarding two topics: accessory buildings/structures and private solar energy collection systems. Based on feedback from the ZBA, staff made the following changes to the draft language.

Accessory Building/Structure Changes: The following changes were made to the draft language for the accessory building/structure topic:

1. Included temporary structures such as (but not limited to) trampolines and movable basketball hoops as exempt from the definition of an 'accessory structure'.
2. Removed the draft language that allowed accessory buildings of 100 square feet or less to be built without the need for a zoning permit, granted that the building met the Village's zoning requirements for accessory buildings.
3. Revised the accessory structure section to allow more than two accessory structures for parcels greater than 0.25 acres in size. This revision would allow for up to five accessory structures on parcels greater than a quarter of an acre. Any less than that would be allowed up to two accessory structures.
4. Added draft language that allows accessory structures of 100 square feet or less to be constructed without the need of a zoning permit, as long as they're at least five feet away from any property line and not placed in the side or rear yards.

Staff Recommendation:

Staff recommends **approval** of the proposed zoning text amendments as shown in the attached Zoning Board of Appeals packet.

Accessory Structure Text Amend.

Section 15-752 – *Definitions*

Accessory building means a building which:

- (1) Is subordinate to and serves a principal building or principal use served;
 - (2) Is subordinate in area, extent, or purpose to the principal building or principal use served;
 - (3) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- ~~— Is located on the same zoning lot as the principal building or principal use served, with the single exception of those accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.~~

Accessory structure means a structure which:

- (1) Is subordinate to and serves a principal building or principal use on a property;
- (2) Includes, but is not limited to: pergolas, detached decks, gazebos, recreational structures, above-ground swimming pools, and similar structures as determined by the Zoning Administrator.
- (3) Accessory structures do not include:
 - a. Fences – regulated in Section 15-522;
 - b. Pavement or parking lots - regulated in Section 15-619;
 - c. Private solar energy collection systems - regulated in Section 15-555;
 - d. Attached decks;
 - e. Landscape features such as garden ponds, mailboxes, statuary/art objects, little free libraries and similar uses, clotheslines, seasonal decorations, arbors, trellises, fountains, birdhouses, birdbaths, birdfeeders, lawn furniture, raised garden beds, and similar landscaping containment materials, retaining walls, and similar manmade lawn and landscaping elements as determined by the Zoning Administrator.
 - a.f. Temporary structures and features not affixed to the ground such as, but not limited to, trampolines and temporary basketball hoops.

Sec. 15-516. - Accessory buildings.

- (a) No accessory building shall be located in a required front yard.
- (b) On properties without a detached garage, a total of **one** accessory building may be permitted on any parcel, unless otherwise authorized through a provision of this Code.

(ie) On lots less than or equal to one acre, an accessory building shall not exceed **700 square feet in area**.

(iie) On lots greater than one acre, an accessory building shall not exceed **1,200 square feet in area**.

(c) On properties with a detached garage, a total of **one** additional accessory building, limited to 200 square feet in area, may be permitted on any parcel, unless otherwise authorized through provision of this Code.

(d) On a reverse street corner lot, a lone accessory structure shall not be located closer to the rear property line than the required side yard of the adjoining key lot and not closer to the street than the required front yard of the adjoining key lot.

(e) Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or less than ten feet from a property line.

(f) Accessory buildings shall meet the following height and setback requirements:

- Table 15-516. Accessory Buildings -- *establishes maximum height (20 or 35 ft), side setback (10-50 ft), rear setback (10-10 ft) for accessory buildings*

Section 15-517 – Accessory Structures

(a) No accessory structure shall be located in a required front yard nor closer to the front property line than the front or corner side elevation of the primary building.

(b) Each accessory structure shall be limited to **200 square feet in area**.

i. For parcels of 0.25 acres or less in size, no more than two accessory structures may be permitted per parcel. For parcels greater than 0.25 acres in size, no more than five accessory structures may be permitted per parcel.

ii. Accessory structures 100 square feet or less may be constructed without the need of a zoning permit, but must be at least 5 feet away from any property line and may not be placed in the side or rear yards.

(c) Accessory structures less than three feet in height shall be located a minimum of five feet from side and/or rear property lines.

(d) Accessory structures three feet in height or taller shall meet the zoning district's required setbacks for accessory buildings, as referenced in Section 15-516.

Zoning Board of Appeals Meeting of November 13th, 2024**Application No. ZBA 2024-015****Applicant:** Village of Roscoe**Location:** N/A**Requested Action:** Public Hearing for a Text Amendment revising the Village of Roscoe Zoning Ordinance Sections 15-516, 15-517 and 15-752 relating to Accessory Buildings and Accessory Structures.**Existing Use:** N/A**Proposed Use:** N/A**Existing Zoning:** N/A**Adjacent Zoning:** N/A

Background: This request is related to two ‘clean-up’ items in the Village’s municipal code regarding zoning and development. The Village’s code may have several places where the regulations and standards are not especially clear or where information may be absent where it’s needed. To address this, Village staff and the planning/zoning consultant (Vandewalle and Associates) have been working to analyze and begin drafting language to fill gaps in, or clarify, existing elements of the code.

The two requests for the November 13th meeting are to address the construction of accessory buildings and structures and to address the construction of private ground-mount solar energy collection systems in the Village. Village staff has experienced several instances where the information lacking in these code sections has led to a more stringent interpretation of the code than perhaps intended.

Accessory Building/Structure Changes:

Regarding the accessory building and structure topic, the sections to be changed are listed below:

- Section 15-752 – *Definitions*
- Section 15-516 – *Accessory Buildings*
- Section 15-517 – *Accessory Structures*

In the *Definitions* section, the amendment would include adding a definition for “accessory structure”, of which there is none at this point. This would explain that accessory structures are

anything that is constructed or erected, the use of which requires a more or less permanent location on the ground or being affixed in some way to the ground. This could include things like playsets, decks, pergolas, gazebos, or the like.

In the *Accessory Buildings* section, the amendment would better define the number of accessory buildings allowed, streamline the number of accessory buildings requiring a zoning permit from the Village, and differentiate between properties with and without a detached garage for the purposes of allowing additional accessory buildings.

In the *Accessory Structures* section, the amendment better defines the number of accessory structures permitted per parcel and creates a standard for compliance with zoning district setbacks.

These changes better reflect the spirit and intent of the existing municipal code without the gaps and clarification issues in the current iteration. With these changes, the public will have a more comprehensible version of the code to read and understand and Village staff will have a more workable code to enforce and administer on a daily basis.

Staff Recommendation:

Staff recommends approval of the proposed zoning text amendments as shown in the attached Zoning Board of Appeals packet.

Accessory Structure Text Amend.

Section 15-752 – Definitions

Accessory building means a building which:

- (1) Is subordinate to and serves a principal building or principal use served;
 - (2) Is subordinate in area, extent, or purpose to the principal building or principal use served;
 - (3) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- ~~— Is located on the same zoning lot as the principal building or principal use served, with the single exception of those accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.~~

Accessory structure means a structure which:

- (1) Is subordinate to and serves a principal building or principal use on a property;
- (2) Includes, but is not limited to: pergolas, gazebos, recreational structures, above-ground swimming pools, and similar structures as determined by the Zoning Administrator.
- (3) Accessory structures do not include:
 - a. Fences – regulated in Section 15-522;
 - b. Pavement or parking lots - regulated in Section 15-619;
 - c. Private solar energy collection systems - regulated in Section 15-555;
 - a-d. Landscape features such as garden ponds, mailboxes, statuary/art objects, little free libraries and similar uses, clotheslines, seasonal decorations, arbors, trellises, fountains, birdhouses, birdbaths, birdfeeders, lawn furniture, raised garden beds, and similar landscaping containment materials, retaining walls, and similar manmade lawn and landscaping elements as determined by the Zoning Administrator.

Commented [JM1]: In my opinion, a parking lot would not meet the Village's definition of building. Let's discuss how to handle parking lots. I think parking lots should be exempt from the area requirements for accessory buildings or structures (maybe they are already?)

Accessory **structures** are regulated in Section 15-517 (as you have above). Accessory **buildings** are regulated in Section 15-517. Since there is a different set of rules for each, then we need to have different definitions for an accessory building and an accessory structure.

Sec. 15-516. - Accessory buildings.

- (a) No accessory building shall be located in a required front yard.
- (b) ~~On properties without a detached garage, a~~ total of **one** accessory building may be permitted on any parcel, unless otherwise authorized through a provision of this Code.

(~~ie~~) On lots less than or equal to one acre, an accessory building shall not exceed **700 square feet in area.**

(~~iid~~) On lots greater than one acre, an accessory building shall not exceed **1,200 square feet in area.**

(c) On properties with a detached garage, a total of **one** additional accessory building, limited to 200 square feet in area, may be permitted on any parcel, unless otherwise authorized through provision of this Code.

(d) Accessory buildings totaling 100 square feet or less may be constructed without the need of a zoning permit, but must be at least 5 feet from any property line and may not be placed in the front or side yards.

(e) On a reverse street corner lot, a lone accessory structure shall not be located closer to the rear property line than the required side yard of the adjoining key lot and not closer to the street than the required front yard of the adjoining key lot.

(f) Swimming pools used solely by persons resident on the site and their guests, provided that no swimming pool or accessory mechanical equipment shall be located in a required front yard or less than ten feet from a property line.

(g) Accessory buildings shall meet the following height and setback requirements:

- Table 15-516. Accessory Buildings -- *establishes maximum height (20 or 35 ft), side setback (10-50 ft), rear setback (10-10 ft) for accessory buildings*

Section 15-517 – Accessory Structures

(a) No accessory structure shall be located in a required front yard nor closer to the front property line than the front or corner side elevation of the primary building.

(b) Each accessory structure shall be limited to **200 square feet in area.**

i. No more than **two** accessory structures may be permitted per parcel.

(c) Accessory structures less than three feet in height shall be located a minimum of five feet from side and/or rear property lines.

(d) Accessory structures **three feet in height or taller** shall meet the zoning district's required setbacks for accessory buildings, as referenced in Section 15-516.

Accessory Structure (V&A suggested definition)

Accessory structure means anything constructed or erected, the use of which requires a more or less permanent location on the ground or attached to something having a permanent location on the ground, which:

- (1) Is subordinate to and serves a principal building or principal use served;
- (2) Is subordinate in area, extent, or purpose to the principal building or principal use served;

- (3) Contributes to the comfort, convenience, or necessity of occupants of the principal building or principal use served; and
- (4) Is located on the same zoning lot as the principal building or principal use served, with the single exception of those accessory off-street parking facilities as are permitted to locate elsewhere than on the same zoning lot with the building or use served.

Accessory structure include

Accessory Building (Roscoe's current definition)

See Section 15-752 above

Building (Roscoe's current definition)

Building means any structure having a roof supported by columns or walls for the sheltering or enclosure of persons, animals, chattels, or property of any kind; any structures with interior areas not normally accessible for human use, such as gas holders, oil tanks, water tanks, grain elevators, coal bunkers, oil cracking towers; and other similar structures are not considered as buildings.

Zoning Board of Appeals Meeting of December 11th, 2024**Application No. ZBA 2024-016****Applicant:** Village of Roscoe**Location:** N/A**Requested Action:** **Discussion and Recommendation** for a **Text Amendment** revising the Village of Roscoe Zoning Ordinance **Section 15-555 and 15-409** relating to **Solar Energy Collection Systems**.**Existing Use:** N/A**Proposed Use:** N/A**Existing Zoning:** N/A**Adjacent Zoning:** N/A

Background: This request is an updated iteration of the text amendments presented at the November 13th Zoning Board of Appeals meeting. At this past meeting, the ZBA considered amendments regarding two topics: accessory buildings/structures and private solar energy collection systems. Based on feedback from the ZBA, staff made the following changes to the draft language.

Solar Ground-Mount System Changes: The following changes were made to the draft language for the accessory building/structure topic:

1. Reduction of the maximum height allowed with the larger lot flexibility from 12 feet to 10 feet.
2. Language has been included under the 'Maximum height' standard to reflect the ZBA's desire to have specific language regarding screening. The new language permits that any private solar energy collection system taking advantage of the 'maximum height' flexibility must also provide some sort of screening "landscaping, fencing, etc." This screening method and its intensity will be subject to the ZBA's approval or modification as part of the Special Use Permit process.

Staff Recommendation:

Staff recommends **approval** of the proposed zoning text amendments as shown in the attached Zoning Board of Appeals packet.

Solar Revisions

Section 15-555 – Private solar energy collection systems

(2) Ground-mounted systems.

a. Use. Ground-mounted solar energy collection systems require a Special Use Permit.

ba. Location. Ground mounted systems shall not be located within any required setback and shall not be located within the front or corner side yard.

cb. Fencing. Any yard containing a ground mounted solar energy production system shall provide a fence along adjacent properties. The fence shall comply with article VII of this chapter. Systems on parcels larger than 2.5 acres and set back further than 35 feet from all lot lines are exempt from this standard.

de. Maximum height. The maximum height of a ground mounted solar energy production system, including any structural elements or energy producing elements, shall not exceed a height that is one foot less than the height of the fence provided in accordance with subsection (2)b of this section. Systems on parcels larger than 2.5 acres and set back further than 35 feet from all lot lines shall be limited to 10 feet in height at maximum tilt.

- i. Screening. Any systems taking advantage of the flexibility for parcels larger than 2.5 acres and setback further than 35 feet from all lot lines must incorporate some sort of screening (landscaping, fencing, etc.) to conceal their system from the public right-of-way and neighboring properties' view. This screening is subject to approval or modification by the Zoning Board of Appeals.

Table 15-409. Residential Districts-Permitted and Special Uses

	RE	R1	R2	RM
Residential				
Single-family dwellings	P	P	P	P
Two-family dwellings			P	P
Multifamily dwellings				P
Community-based housing, fewer than 8 occupants			P	P
Community-based housing, equal to or more than 8 occupants			S	S

Senior housing and community-based housing projects				P
RV residences, tents, and other structures not requiring an occupancy permit				
Commercial				
Home occupations conducted in accordance with the regulations prescribed in section 15-550	P	P	P	P
Daycare facilities and nursery schools	S	S	S	
Bed and breakfast		S	S	S
Boardinghouses, hotel, motel and lodginghouses				S
Institutional				
Place of worship	S	S	S	S
Hospitals, sanitariums not for mental, drug addict, or liquor addict cases			S	S
Nursing homes	S	S	S	S
Public and parochial schools and colleges	S	S	S	S
Community service organizations				S
Community Facilities (Public Service)				
Public utility, public facility, and public services, pumping stations, power stations, equipment buildings and installations, water storage tanks found by the village board of trustees to be necessary for the public health, safety, or welfare	S	S	S	S
Civic uses				P
Recreational				

Golf courses, public parks, and playgrounds	S	S	S	S
Private recreation parks and swim clubs	S	S	S	
Private recreation parks and swim clubs open to membership outside the homeowner or condominium owners' association				S
Other				
Apiary/bee keeping	P	P	P	
Chicken keeping	P	P	P	
Raising of fruit and nut trees, vegetables, and horticultural specialties	P	P		
Temporary outdoor portable storage unit	P	P	P	
<u>Private solar energy collection systems – Ground-mounted</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>

Zoning Board of Appeals Meeting of November 13th, 2024**Application No. ZBA 2024-016****Applicant:** Village of Roscoe**Location:** N/A**Requested Action:** Public Hearing for a Text Amendment revising the Village of Roscoe Zoning Ordinance Section 15-555 and 15-409 relating to Solar Energy Collection Systems.**Existing Use:** N/A**Proposed Use:** N/A**Existing Zoning:** N/A**Adjacent Zoning:** N/A

Background: This request is related to two ‘clean-up’ items in the Village’s municipal code regarding zoning and development. The Village’s code may have several places where the regulations and standards are not especially clear or where information may be absent where it’s needed. To address this, Village staff and the planning/zoning consultant (Vandewalle and Associates) have been working to analyze and begin drafting language to fill gaps in, or clarify, existing elements of the code.

The two requests for the November 13th meeting are to address the construction of accessory buildings and structures and to address the construction of private ground-mount solar energy collection systems in the Village. Village staff has experienced several instances where the information lacking in these code sections has led to a more stringent interpretation of the code than perhaps intended.

Solar Ground-Mount System Changes:

Regarding the solar ground-mount system topic, the sections to be changed are listed below:

- Section 15-555 – *Private Solar Energy Collection Systems*
- Section 15-409 – *Residential Districts-Permitted and Special Uses*

In the *Private Solar Energy Collection Systems* section, the amendment would better define private solar ground-mount systems as a special use in residential districts. This would allow the ZBA to have more oversight of ground-mount systems in the Village. At the same time, the amendment provides more flexibility to the property owner by allowing parcels greater than 2.5

acres and systems setback 35 feet or more to be exempt from the fencing standards in the code and have a maximum height of 12 feet at maximum tilt.

This amendment was brought about by the recent variance application for a property in the Village that meets these standards, but still had to receive a variance to be a worthwhile project for the owner to undertake due to the unique layout and topography of the property. This amendment provides flexibility to owners on larger lots where a ground-mount system would have minimal impacts on neighboring properties.

These changes will provide the ZBA and Village staff with more oversight on potential residential ground-mount systems in traditional residential neighborhoods while providing flexibility for properties that are more removed and secluded from public view, lessening the need for a variance, which could open up challenging precedents for similar structures in traditional neighborhoods.

Staff Recommendation:

Staff recommends approval of the proposed zoning text amendments as shown in the attached Zoning Board of Appeals packet.

Solar Revisions

Section 15-555 – Private solar energy collection systems

(2) Ground-mounted systems.

a. Use. Ground-mounted solar energy collection systems require a Special Use Permit.

ba. Location. Ground mounted systems shall not be located within any required setback and shall not be located within the front or corner side yard.

cb. Fencing. Any yard containing a ground mounted solar energy production system shall provide a fence along adjacent properties. The fence shall comply with article VII of this chapter. Systems on parcels larger than 2.5 acres and set back further than 35 feet from all lot lines are exempt from this standard.

de. Maximum height. The maximum height of a ground mounted solar energy production system, including any structural elements or energy producing elements, shall not exceed a height that is one foot less than the height of the fence provided in accordance with subsection (2)b of this section. Systems on parcels larger than 2.5 acres and set back further than 35 feet from all lot lines shall be limited to 12 feet in height at maximum tilt.

Table 15-409. Residential Districts-Permitted and Special Uses

	RE	R1	R2	RM
Residential				
Single-family dwellings	P	P	P	P
Two-family dwellings			P	P
Multifamily dwellings				P
Community-based housing, fewer than 8 occupants			P	P
Community-based housing, equal to or more than 8 occupants			S	S
Senior housing and community-based housing projects				P
RV residences, tents, and other structures not requiring an occupancy permit				
Commercial				

Home occupations conducted in accordance with the regulations prescribed in section 15-550	P	P	P	P
Daycare facilities and nursery schools	S	S	S	
Bed and breakfast		S	S	S
Boardinghouses, hotel, motel and lodginghouses				S
Institutional				
Place of worship	S	S	S	S
Hospitals, sanitariums not for mental, drug addict, or liquor addict cases			S	S
Nursing homes	S	S	S	S
Public and parochial schools and colleges	S	S	S	S
Community service organizations				S
Community Facilities (Public Service)				
Public utility, public facility, and public services, pumping stations, power stations, equipment buildings and installations, water storage tanks found by the village board of trustees to be necessary for the public health, safety, or welfare	S	S	S	S
Civic uses				P
Recreational				
Golf courses, public parks, and playgrounds	S	S	S	S
Private recreation parks and swim clubs	S	S	S	
Private recreation parks and swim clubs open to membership outside				S

the homeowner or condominium owners' association				
Other				
Apiary/bee keeping	P	P	P	
Chicken keeping	P	P	P	
Raising of fruit and nut trees, vegetables, and horticultural specialties	P	P		
Temporary outdoor portable storage unit	P	P	P	
<u>Private solar energy collection systems – Ground-mounted</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>