

**DECEMBER 19, 2018 PLAN COMMISSION MEETING MINUTES  
CITY OF EDGERTON**

Commission Chair Christopher Lund called the meeting to order at 6:00 p.m.

Present: Christopher Lund, Mark Wellnitz, Candy Davis, Jim Kapellen, and Paul Davis.

Absent: Ron Webb and Julie Hagemann.

Others Present: City Administrator Ramona Flanigan, Public Works Director Tom Hartzell, Utility Director Randy Oren and a group of citizens.

Flanigan confirmed the meeting agendas were properly posted on Friday, December 14th at the Post Office, Edgerton Library, and City Hall.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by Phil Lund for approval of a conditional use permit for a home occupation land use to allow the establishment of a dumpster storage business and to allow an accessory building up to 20 feet in height at 922 W. Fulton St.

Flanigan stated if the conditional use permit for a home occupation land use is granted, the petitioner will then seek a variance to allow the construction of a garage larger than allowed by the ordinance.

The petitioner proposes to remove the existing garage and extend a gravel driveway to the back of this very deep lot, construct a new garage, and create a gravel parking area.

Dale Pope, 1231 Fieldcrest, stated he is speaking on behalf of the property at 918 W Fulton St. that he has a mortgage interest in and is owned by his son. Pope stated he is opposed to the petition because he feels it would be detrimental to the neighborhood.

Pope stated this area is zoned R-2 and intended for residential use. The business is not being conducted in the home for which a conditional use is designed. A 20-yard dumpster business puts a big imposition on the neighbors and does not belong in this neighborhood's backyards.

Petitioner Phil Lund stated he designed the business to be as far back on the lot so it cannot be seen from the road. He plans to move dumpsters with a pickup a couple time per week. Board Member Jim Kapellen stated today Phil Lund may use a pickup now but there is no guarantee a larger truck may be used in the business grows where more dumpsters are moved and stored.

Hearing no more comments, the Mayor closed the public hearing.

**CONSIDER REQUEST FOR A CONDITIONAL USE PERMIT AT 922 W. FULTON ST:**  
A Candy Davis/Mark Wellnitz motion to deny the conditional use permit for a home occupation land use to allow the establishment of a dumpster storage business passed on a 5/0 roll call vote.

Candy Davis stated before the vote that she does not oppose the business but does not feel it belongs in a residential neighborhood.

**PUBLIC HEARING:** The Plan Commission held a public hearing to hear comments regarding a request by Tracy and Ryan Foley for a conditional use permit to allow the establishment of a duplex residential use at 104 W. Rollin St.

Flanigan stated this parcel was once used as a duplex but converted was into a single-family home more than a year ago thus requiring a conditional use permit. The parcel has a two-car garage and 80' driveway allowing adequate off-street parking. No modifications are required to the exterior of the house to establish it as a duplex.

Petitioner Tracy Foley stated the house was built in 1914 as a duplex, an upper and lower unit. It has two exists for each floor.

Foley stated when they converted the house to a single-family, they removed one interior wall for access to the rear stairway. They would rebuild this wall and contact Alliant Energy to make the adjustments to the metering. Foley stated they would continue with one water meter and it would be included in rent.

Matt McIntyre, 3 Mechanic St, stated he supports the conditional use.

Hearing no more comments, the Mayor closed the public hearing.

**CONSIDER REQUEST FOR A CONDITIONAL USE PERMIT AT 104 W ROLLIN ST:** Jim Kapellen/Mark Wellnitz moved to approve the conditional use permit for Tracy and Ryan Foley to allow the establishment of a duplex at 104 W. Rollin St subject to the following conditions and finding of fact:

Conditions:

1. The petitioner receives a variance to allow the duplex on a lot smaller than 10,000 sf.
2. The petitioner obtains all building permits needed for the conversion.

Finding of Fact:

1. The proposed conditional use with the above conditions is in harmony with the purposes, goals, and objectives of the Master Plan or the Zoning Ordinance. 22.206(4)(c)2.
2. The proposed conditional use, in its proposed location and as depicted on the site plan, will not result in undue adverse impact on nearby property, the character of the neighborhood, traffic factors, and public rights-of-way. 22206(4)(c)3.
3. The proposed conditional use maintains the desired land use intensity and land use impact as it relates to the environs of the property. 22.206(4)(c)4.
4. The proposed Conditional Use will not create major undesirable impacts on nearby properties, the environment, or the community as a whole per Section 22.206(4)(d).
5. The potential public benefits of the proposed conditional use outweigh any and all potential adverse impacts of the proposed conditional use.

The motion passed on a 5/0 roll call vote.

**MINUTES:** A Mark Wellnitz/Jim Kapellen motion to approve the November 5, 2018 Plan Commission meeting minutes passed, all voted in favor.

Being no other business before the Commission, a Candy Davis/Paul Davis motion to adjourn passed, all voted in favor.

Ramona Flanigan/ch  
City Administrator

Approved January 30, 2019