

**Village of Mapleton**  
**ZONING COMMITTEE MEETING MINUTES (APPROVED)**

Mapleton Village Hall, 8524 Main St

May 30, 2018

6:00 pm

**A. Call to Order by Acting Zoning Chair, Mark Foust at 6:02 pm**

**B. Pledge of Allegiance**

**C. Roll Call:**

Attending were: Trustees, Mike Beecham, Mark Foust and Harvey Stidham. Also in attendance: Mapleton Clerk, Pat Briggs and Mayor, Carl Bishop.

**D. Subjects**

a) Tents in the village (Astle Lane) violation

Mike explained that this is somewhat of a gray area. Village ordinance says no tents but residents have portable garages they are using for storage. Is it permissible to have them? Party tents can be used for special occasions but must be taken down immediately after the celebration. Mike asked if carports are permissible and if so, do they fall under building permits? A discussion followed about having a new ordinance or amending a current ordinance that permits them but limits the number that can be placed on a residential lot. They are not considered a permanent structure and if they are being made permanent they will fall under the building permit. It was decided that limiting them to two per residence and allowing them to be used to store things instead of items instead of them being kept in the yard and creating an eyesore for neighbors would be a good idea. It was determined that having a \$25 permit for portable garages so we can keep track of them and make sure if they are covered, that the cover has not become dilapidated, creating a nuisance situation for neighbors would work best. We would need a permit indicating the size and location on the property. Any current ones will be grandfathered in. The Zoning committee will contact the resident(s) and ask to let them look at it to see if it falls under the village ordinances? It was also determined that two people (Mayor volunteered) should go and take a camera to verify findings.

2) Demolition Permit Cost

After discussion by the committee it was decided cost for a demolition permit would be a flat rate of \$25 for residential or agricultural and \$100 for Commercial or

## Industrial properties.

### a) Door Hangars for first notices

Mike had been considering using customizable door hangars instead of registered mail for a first notice of an ordinance violation. The Mayor was concerned that it could be viewed as trespassing if it is posted property. It was decided that if the property was posted a certified letter would be used instead. Mike stated that in the ordinance it says the zoning chair is the enforcer of zoning issues and is therefore allowed on the property in order to conduct village business. The Clerk was asked to put it on the Agenda so we get an answer from the attorney at the meeting about legalities of using the door hangars. If the attorney says yes than we'll go for it. It was also suggested taking a picture of the hangar on the door if no one is home.

### b) Go Over complaints in the file -

It was brought up that there is a problem with allowing complaints to be anonymous. Complaints should have a person's name for verification purposes, but those names would be redacted as soon as the complaint was verified by the Zoning Committee and it was decided to pursue resolution. No decision was made about whether complaints could still be made anonymously.

#### 1. 8625 W. Main Street – Dilapidated fence, wood piled up, dismantling vehicles for salvage and miscellaneous junk.

- The pile of wood has already been removed so that is no longer an issue. Fence is dilapidated, falling over in places, creating a hazard.
- He has been observed cutting up cars for salvage, creating a junkyard, which is not allowed.
- There are piles of junk sitting all around the house.

Per Mayor Bishop, the Attorney is going to send him a letter. The clerk stated she was not aware of that. This property has had ongoing problems for many years. Harvey said if he is cooperative we will not issue fines, just a general cleanup notice. If cleanup is not done, fines will be issued.

#### 2. 8707 W. First – Tall Grass. Mark Foust stated that this has been an ongoing problem at the top of the hill. The Attorney has already taken legal action against this property owner and is scheduled to go to court.

#### 3. 10220 Walnut – Tall Grass

Has already been cut. Complaint has been closed.

4. 9407 S. Mapleton Rd. - 9407 S. Mapleton Rd. – old car, furniture on burn pile (has already been burned), Antique vehicles and old car parts. Lots of junk. Clerk was asked to send a warning letter about burning illegal stuff and organizing the other items to be more eye appealing. Committee was asked to get pictures of the burn pile from where the furniture was burned. This is a fairly new resident and may not be aware of the rules of the village.

There were also complaints about the dog being allowed to run loose without being on a leash or being supervised and causing near accidents on Mapleton Road.

5. 8519 W. Main – Violation of Home Occupations, Heavy equipment and supplies in a residential neighborhood. Pictures showing equipment and supplies, spare tracks for tractor and lots of other junk. He had previously been hired by the village which was proof that he was running a business from the home. Clerk was asked to send a letter informing him that he is in violation of running a business from a residential neighborhood or to let the attorney handle it. Mayor said to let the attorney handle it. This is an improper use of residential property and has been allowed to go on for a very long time with the knowledge of the village board.

6. 8522 First Street – Trash and building supplies being burned. A verbal warning to not burn building materials was issued. Complaint closed.

7. Pin #SE ¼ Sec 20-7N-7E (17.84 acres). Violating Village Ag Usage per Chapter 7 Section 6.1 of Article 1 Zoning – large pile of wood is an eyesore. There is also a business sign posted that violates 6.1. Mayor Bishop stated that he owns that property but Mike Beecham states that according to Peoria County GIS is owned by someone else. The Mayor said he had paperwork showing he had purchased the land and also had paperwork stating he was 'grandfathered' in for having wood on the property.

8. 10108 S. Mapleton Street – Piles of Wood on property harboring nuisance animals. The property has a posted business sign which is not allowed per Article I Zoning Ordinance for a R-1 allocated property. This is an agricultural property and cannot have wood or wholesale wood for sale. Mayor again stated it was grandfathered in and should be handled by the attorney. Mike told the Mayor that if he has proof of that there is an appeal process. Mayor again asserted that he was grandfathered in. Mike again stated that he may file an appeal if he has proof.

### Old Complaints:

- 1) 8514 W. Main Deceased owner. The village was pursuing demolition but thought the property had been sold for back taxes. Clerk will try to determine who the new owner is or have the attorney find out so we can contact them about high grass and their intentions of the property.
  - 2) 8604 W. First – This is an ongoing court case.
  - 3) 7533 Astle Lane – Clerk to check with attorney about summons that was to be issued.
  - 4) 10208 S. Spring Street – two unlicensed vehicles. One Mustang and truck. The Mustang has been put in the garage and the truck has been registered. Close complaint.
2. Residential Occupation Permit – Mike stated that the use permit is vague and archaic about what is considered a valid home occupation. Harvey suggested just making it general and not listing specific businesses allowed. Anything that doesn't create a hazard or a nuisance for neighbors should be allowed. Mike suggested doing a 3-year permit. There is no permit fee listed in the village code. Mike also suggested that if they are in an occupation that required registration or certification, that it should be to the village as well. This would include registration with the health department or county as a day care provider.

There was discussion about how to follow-up or police home occupations to make sure electrical, plumbing, etc. were up to code for the business being operated in the home. Mike suggested having the county do the inspection for those items. He thought a \$50 per year fee would be appropriate.

It was brought up that there is a limit of one square foot for signs and that seems unreasonably small. Harvey suggested a 4x4 sign instead. Mayor Bishop stated that the village attorney was against any kind of home occupation permit process and thought it should be discussed with the attorney. This will be referred to the village attorney for advice.

### **E. Additional Business**

- a. Mayor Bishop stated that the Zoning Board is supposed to stay as the zoning board and that issuing fines or notices of violations are supposed to be done with the approval of the zoning board. He addressed a member of the committee who had asked for notices and fines to be sent

out prior to the meeting. He responded that nothing was actually carried out. The Mayor stated only because it was stopped. The Mayor reiterated that the Committee was supposed to review complaints and then refer to the Board or the attorney and it will not be one person making decisions to pursue.

Mike stated that the Zoning Chair handles and enforces fines and citations per our municipal code but the Mayor said he has to approve. Mike said, no, the mayor appoints a chair and the chair enforces.

It was left that it would be brought up at the next meeting so the attorney could weigh in.

Harvey stated that whatever is done, it has to be fair and impartial.

Mike stated that this was a committee meeting and he doesn't believe the mayor's comments should be taken into consideration. If a complaint comes in against a board member, that board member should not make comments but should make use of his right to appeal. We shouldn't be waiting for the attorney to respond as the attorney is here to work for the board.

#### **F. Adjourn Open Session**

Mark Foust made a motion to adjourn, seconded by Mike Beecham. Voice vote was unanimous for adjournment.

#### **G. Meeting was adjourned at 7:40 pm.**

Meeting Minutes were transcribed by Patricia Briggs, Village Clerk

Approved by the Board of Trustees on 13 June 2018