

**PLAN COMMISSION MEETING
TUESDAY, JANUARY 21, 2025
4:30 P.M., DENMARK VILLAGE HALL
100 N WALL STREET**

Call to order

Chairperson Selner called the meeting to order at 4:52 p.m., called to order later than 4:30 due to having two Public Hearings prior to the Plan Commission meeting

Roll Call

Present: Joan Roberts, Mary Jo Bielinski, Tim Schroeder, Robert Sekora, Susan Selner

Excused: Dale Schlies

Other staff present: Clerk Treasurer Sherri Konkol, Deputy Clerk Treasurer Charlie Wanish, Zoning Administrator Jeffrey Sanders

Approval of Minutes from December 17, 2024

Roberts/Bielinski moved to approve the minutes from December 17, 2024 as presented. Motion carried.

Discussion/action on submittal of an application for Minor Land Division to combine Tax Parcel numbers VD-75, VD-75-2, VD-141-1 and VD-142-1 under common ownership located at or abutting 450 S Wall Street in the Village of Denmark

Sanders went over his report and recommends approval of the proposed lot combine contingent upon:

- A. Village Board Approval of required zoning changes for VD-141-1 and VD-142
- B. Secondary conservation areas shown and identified on CSM
- C. Buildable area of the portion of the combined lot formerly VD-141-1 and VD-42-1 shown on face of CSM

Sekora/Bielinski moved to recommend to the Village Board approval of the application for Minor Land Division to combine Tax Parcel numbers VD-75, VD-75-2, VD-141-1 and VD-142-1

Discussion/action on an application for Zoning Change for Tax Parcel Numbers VD-141-1 and VD-142-1 located at 487 Wisconsin Avenue and along County Highway R, respectively in the Village of Denmark

Sanders went over his report and shared the proposed site plan is consistent with the Comprehensive Plan and recommends approval of the requested zoning change without conditions. **Roberts/Bielinski moved to recommend to the Village Board approval of the application for Zoning Change for Tax Parcel Numbers VD-141-1 and VD-142-1 located at 487 Wisconsin Avenue and along County Highway R, respectively in the Village of Denmark. Motion carried.**

Discussion/action on submittal of an Application for Conditional Use Permit for Tax Parcel Number VD-ND697 located at Kvitek Road in the Village of Denmark proposing to run a Welding Shop

Sanders went over his report and stated the current use of VD-ND697 is "welding business" as per

section 315-52.c(3) of the Village of Denmark Zoning Ordinance, 'Welding shops' is a Conditional Use in the I-1 district, and the Village of Denmark has no record of a Conditional Use Permit issued to VD-ND697. Sanders recommends approval of the requested Conditional Use Permit with the following conditions:

- A. No uses other than the Conditional Uses covered under this Conditional Use permit are permissible under the terms of this Conditional Use Permit other than those uses ancillary and customarily incidental to said use.
- B. Any substantive change in the use of VD-ND697 shall require an amendment to the Conditional Use Permit. Non-substantive changes to VD-ND697 shall be reviewed by the Zoning Administrator.
- C. If the principal use of VD-ND697 is discontinued for a period exceeding 365 days, or if the use of VD-ND697 changes, the Zoning Administrator shall initiate the process of terminating the Conditional Use Permit
- D. The Conditional Use covered under the terms of the Conditional Use Permit may be maintained so long as such use adheres to the conditions above and remains in compliance with all applicable sections of the zoning ordinance; said permit shall have no expiration

Schroeder/Roberts moved to recommend to the Village Board approval of the application for Conditional Use Permit for Tax Parcel Number VD-ND697 located at Kvitek Road in the Village of Denmark proposing a welding shop. Motion carried.

Board discussion/action on multiple requested amendments to chapter 315 including:

- Considering revising Section 315-123.E which reads as follows: 'Parking areas for lots zoned R-4, B-1, I-1, and I-2 shall be located in the side yard or rear yard.'
- Consider revising Section 315-157.D(1) which reads as follows: 'All parking lots and/or driving areas are paved with concrete or asphalt.'
- Consider amending the definitions for Nonconforming Structure and Nonconforming Use in Section 315-300.C to read as follows:
 - a) 'Nonconforming Structure. A dwelling, building, or structure that existed lawfully at the time of the effective date of this chapter or amendments thereto which does not conform with one or more of the development regulations of this chapter for the district in which it is located.'
 - b) 'Nonconforming Use. A use of land, water, or of a dwelling or other structure that existed lawfully at the time of the effective date of this chapter or amendments thereto which does not conform to the use restrictions of this chapter.'
- Correct a scrivener's error by amending Section 315-52.C(3) removing the following uses as Conditional Uses in the IN Institutional District:
 - a. 'Sales, service, and repair: 'Category N' heavy duty vehicles (trucks, buses, coaches, tractor-trailer units, and the like).'
 - b. 'Sales, service, and repair: 'Category T' implements of husbandry.'
- c. 'Sales, service, and repair: construction equipment and similar heavy equipment.'

Sanders explained the proposed changes are to do some clean up and clarification of the Zoning Ordinance

- Considering revising Section 315-123.W which reads as follows: Parking areas for lots zoned R-4, B-1, I-1 and I-2 shall be located in the side yard or rear yard.

Schroeder/Bielinski moved to recommend to the Village Board removing I-1 and I-2 from the requirement for parking to be located in the side yard or rear yard. Motion carried.

- Consider revising Section 315-157.D.(1) which reads as follows: All parking lots and/or driving areas are paved with concrete or asphalt. **Plan Commission recommended no change to this section of the ordinance**
- Consider amending the definitions for Nonconforming Structure and Nonconforming Use in Section 315-300.C to read as follows:

- a) *'Nonconforming Structure. A dwelling, building, or structure that existed lawfully at the time of the effective date of this chapter or amendments thereto which does not conform with one or more of the development regulations of this chapter for the district in which it is located.'*
- b) *'Nonconforming Use. A use of land, water, or of a dwelling or other structure that existed lawfully at the time of the effective date of this chapter or amendments thereto which does not conform to the use restrictions of this chapter.'*

Roberts/Sekora moved to recommend to the Village Board approval of amending the definition of Nonconforming Structure and Nonconforming Use in Section 315.300.C.

Motion carried

- Correct a scrivener's error by amending Section 315-52.C(3) removing the following uses as Conditional Uses in the IN Institutional District:
 - a. *'Sales, service and repair: 'Category N' heavy duty vehicles (trucks, buses, coaches, tractor-trailer units and the like)'*
 - b. *'Sales, service and repair: 'Category T' implements of husbandry'*
 - c. *'Sales, service and repair: construction equipment and similar heavy equipment'*

Schroeder/Bielinski moved to recommend to the Village Board approval to correct scrivener's error by amending Section 315-52.C(3). Motion carried.

Discussion on approval of a CSM to combine lots VD-216 and VD-217, and create outlots on VD-228 to allow future quit claims to correct building encroachments

Sanders went over his report and recommends approval of the proposed land division contingent upon Outlots 1 and 2 deeded to VD-229 and VD-227, respectively, compliant with the terms established upon by the Village and the respective parties. **Schroeder/Bielinski moved approve the CSM to combine lots VD-216 and VD-217 and create outlots on VD-228 to allow future quit claims to correct building encroachments. Motion carried.**

Adjourn

Roberts/Bielinski moved to adjourn at 6:11 p.m. Motion carried.

Minutes submitted by Sherri Konkol, Village Clerk-Treasurer