

VAN BUREN PLANNING COMMISSION

MINUTES

Record of Proceedings
Held: July 23, 2024 at 5:00 p.m.

PLANNING COMMISSION MET IN REGULAR SESSION

☒ Brock Mason

☒ Sam Girdler

☒ Edward May

☒ Sam Nigh

☒ Stan Heitkamp

ANY ADDITIONS OR CORRECTIONS TO THE AGENDA

- No additions or corrections

APPROVAL OF THE MINUTES

- Roll Call

COMMUNITY COMMENTS

- No Community Comments

PLANNING COMMISSION DISCUSSION

The Planning Commission discussed and reviewed the following items:

Committee viewed the setback spreadsheet and zoning ordinance and have incorporated the “Van Buren Setbacks” spreadsheet into the zoning ordinance as Table 9 under Article 9 in Section 901. I’m attaching a revised zoning ordinance marked up to show the revisions that I have made. There are some things I want to point out:

1. In reviewing the “Van Buren Setbacks” table, we noticed that for Couchot Park, the deed restrictions allow a maximum coverage of 30%. This conflicts with the zoning for rest of the Village. We have changed the table to set “Maximum % Lot Coverage” at Couchot Park to be 30% to match the deed restrictions.
2. Committee validated to make sure that notes eliminated on the separate “Setbacks” document appear somewhere within the zoning ordinance. Those notes are incorporated into Article 9 – Schedule of Regulations.
3. For the table Row labeled “R-Accessory Building” the committee suggest to made some modifications to the table.
 - a) There isn’t a set front yard setback in the zoning, other than one note saying that “Accessory buildings and uses shall not be erected in any minimum side yard setback

- nor in any front yard unless otherwise provided in this Integrated Zoning Code and Land Use Plan Ordinance” (Section 1003.2), and “When an accessory building is located on a corner lot, the side lot line of which is substantially a continuation of the front lot line of the lot to its rear, said building shall not project beyond the front yard setback required on the lot to the rear of such corner lot. In no instance shall an accessory building be located nearer than ten (10) feet to a street right-of-way line” (Section 1003.6).
- b) The base table showed a minimum side yard setback of 10 feet and a minimum rear yard setback of 25 feet for accessory buildings. Section 1003.3 states “An accessory building shall not occupy more than twenty-five percent (25%) of a required rear yard, provided that in a Residential District the accessory building shall not exceed the ground floor area of the main building, nor shall accessory buildings be located closer than five (5) feet to both the rear lot line and side lot lines.”, and Section 1003.2 states “Accessory buildings and uses shall not be erected in any minimum side yard setback nor in any front yard unless otherwise provided in this Integrated Zoning Code and Land Use Plan Ordinance”. The committee checked the accessory buildings, and Zoning Inspector’s notes shows most of them were located 25’ or more from rear lot lines. There are numerous garages (accessory buildings) located adjacent to alleys throughout the village that are less than 10 feet away from the right-of-way lines. Zoning Inspector marked up the 2004 as-built drawings from the sanitary sewer improvements project to show what it mean – it is showing about 58% (17 of 29) of the accessory structures to be less than 10’ from the rear lot line. I think the rear yard setback for accessory buildings should be set to match the 5’ minimum mentioned in Section 1003.3. Regarding the side yard setback, we should either change the table to show 5’ minimum setback for side yards to match Section 1003.3 or should change 1003.3 and the table for Accessory buildings to have a 10-foot side yard setback. We should discuss this before making a final change to the table, which I currently show as 10’. At this point, the committees suggested to changed 1003.3 to show a 10- side yard setback.
- c) The zoning ordinance does not set a minimum floor area for accessory buildings. The committee to establish a 96 minimum floor area per unit.
- d) The accessory buildings are included, along with the main structure, as part of the maximum % lot coverage in the zoning district.

PLANNING COMMISSION MONTHLY ACTIVITY REPORT REVIEW

- Click [HERE](#) for Zoning Permits Issued.