

Village of Sheridan
Zoning Board of Appeals and Plan Commission Meeting
May 22, 2017

The Zoning Board of Appeals and Plan Commission met on the above date with the following members present: Sue Enger, John Whalen, Pam Carlson, Jaime Walker, Greg McElhaney and Michael Doll.

Rich Burton swore upon oath all participants wanting to testify. Dan Shoemaker stated that has owned the property located at 2480 N 41st Rd. for about the last 5 years. His property is 2 acres with a main cabin and 2 smaller portable cabins and all but the bottom half of the driveway is in the floodplain.

Last year he and David Shoemaker started a tubing business out of their cabin at the property for the month of August. Dan explained with this tubing business they provide tubes and life jackets and shuttle people to Rolling Oaks Campground to drop off for a fee of \$20 for adults and \$15 for kids under 12 from 9AM to 3PM. They float down the Fox River ending back at the Shoemaker property, taking approximately 3 hours. Parking is at their property. Styrofoam and glass are prohibited. Children 12 and under must wear a life preserver. The tubing business is registered with the Illinois Department of Natural Resources. Near the end of last year, the LaSalle County Land Use Department indicated that such business use was not authorized under LaSalle County's zoning ordinance which classified the property as within an A-1 Agriculture District. LaSalle County directed them to speak with the Village of Sheridan since their property was close to the Village's corporate limits.

Rich stated that if the property were annexed in to the village, the annexation agreement would zone the property as within a C1 Lowland Conservancy District. The agreement would need to approve a special use for a tube floating business and recognize the nonconforming rights for the cabins located within the floodplain. Rich advised that the property could be immediately annexed to the Village notwithstanding the fact that the property is separated from current corporate limits to the South by the railroad.

John Whalen inquired about the need for a village permit for their business. Rich stated they would need the conditional use approved by the village board which would act in place of the more common home occupation license as authorized under Village ordinances. Rich inquired about the extent of parking accommodations. Dan and David Shoemaker advised that they understand that they would need to locate additional parking in the event their business became particularly active. Sue inquired about the DNR license and insurance. Dan advised that they monitor river conditions as reported by the DNR and will not operate in high water conditions. Dan advised that they carried liability insurance last year with what he believed to be a \$1,000,000 aggregate general liability limit. Dan advised that they do not perform sales and do not have a sales tax number.

Greg McElhaney motioned to recommend to the village board for the annexation agreement to be approved. Pam Carlson 2nd. All in favor by oral vote.

The board next began working on zoning issues and terms of a conditional use permit. The property would be zoned within the C-1 Lowland Conservancy District with the Village recognizing non-confirming use rights for the existing improvements.

A conditional use would be approved to operate a tube floating business subject to the following conditions:

1. By April 15 of each year, the owners of the property will provide the Village Clerk the following:
 - A. Their fee schedule.
 - B. Their requested release of liability.
 - C. Proof of insurance which must include general liability coverage in an aggregate amount of no less than \$1,000,000.00.
 - D. Copies of Department of Natural Resources permits and/or licenses.
2. Vehicles will need to be appropriately parked on the property and not on the roadway or hillside leading to the property. Standing arrangements shall be made for additional parking.
3. Restroom facilities and garbage receptacles will be located and maintained on the property.
4. Glass and Styrofoam containers are prohibited.
4. Life preservers shall be offered all guests and required by children 12 years of age.
5. Operation will be during daylight hours between Memorial Day through Labor Day, such holiday included.

John Whalen motioned to recommend approved of the zoning and conditional use as outlined. Greg McElhanev 2nd. All in favor. All in favor by oral vote.

Dave and Dan Shoemaker were advised that the Village would have the annexation agreement and zoning on the agenda for their June 10, 2017 meeting.

Minutes from July 28, 2016 were presented. Jamie Walker motioned to approve the minutes as written. Pam Carlson 2nd. All in favor. Motion Carried by unanimous oral vote.

There being no further business, Jamie Walker motioned to adjourn the meeting. Greg McElhanev 2nd. Motion Carried by unanimous oral vote.

Respectfully Submitted,

Cathy Carpenter
Village Clerk