

**VILLAGE OF MILLSTADT
ZONING BOARD MEETING
JULY 27, 2021
7:30 P.M.**

The meeting was called to order by Chairman Mike Wegescheide, with the following board members answering to roll call: Mike Wegescheide, Ron Krick, Dave Graf, Charlie Butzinger and Michael Mueth. Adam Romero, the Zoning Administrator, and Board members Wayne Muskopf and Mark Germann were absent.

A motion was made by Dave Graf and seconded by Ron Krick to approve the May 25th minutes. The motion carried unanimously.

Mike Wegescheide announced that there was one hearing on the agenda.

Hearing SU-52 for a Special Use Permit for camping at 6701 Red Barn Farms Lane

Crissy Pipik swore in all citizens wishing to speak.

CHASE HEARING: Mike Wegescheide stated the owner is Nancy Chase and Matthew H. Holm. The applicant is Nancy Chase. The property is located at 6701 Red Barn Farm Lane and is in an Agricultural district. Ms. Chase stated that according to the Village ordinances an Agricultural district can be used for open air non-commercial recreational use. A special use permit would be needed for commercial recreational use. She would like to use a service similar to Airbnb but for camping. The service provides insurance and Ms. Chase has her own personal insurance for her property. She had already had five or six reservations before Adam Romero gave her a cease-and-desist order. Perspective campers use the service to express interest in camping on her property and she can choose who she allows on her property. She would like to have two or three reservations a week, hosting one reservation at a time. The customers pay \$30 per reservation. She would receive \$27 per reservation. Dave Graf asked if the app would allow customers to bring RVs on her property. Ms. Chase answered that the app service doesn't care but she can decide if she would allow RVs. Charlie Butzinger asked why the campers don't use a registered campground. Ms. Chase answered that some people would rather camp where they are welcomed and greeted by the host. Mike Wegescheide asked how many acres she would use. Ms. Chase answered that the customers would stay pretty much in her yard and she is able to oversee the camp site from her kitchen. She has found that most people just want somewhere safe to sleep for the night and leave in the morning. Mike asked what would keep more people from coming to camp on her property. Ms. Chase

answered that she has no interest in actually having a business; she is just interested with connecting with people. Mike asked if she shared her driveway with other homes. Ms. Chase answered two other homes do. Resident Virginia Bourn asked if there was a collection of human waste on her property. Ms. Chase answered that she has porta potties that are serviced regularly but there is no dumping by customers. Resident Randall Hargraves stated he lives in Cedar Creek and does not see an advantage to unknown people coming into the community, especially because no one knows what they do at night. Resident Joseph Prosacki asked how the porta potties were taken care of. Ms. Chase answered that a company services them regularly. Mr. Prosacki asked if there were showers. Ms. Chase answered no but there is running water. Mr. Prosacki asked how security is guaranteed. Ms. Chase answered security is never guaranteed but she has a one-million-dollar personal insurance policy, the app has insurance, and the app has the bank information of the customers. She feels that they are screened better than someone coming into the Village to purchase something off Craigslist. Mr. Prosacki asked what the hours of the business would be. Ms. Chase answered that she is flexible and if someone needed to come in late, she would be up to greet them. Mr. Prosacki asked what the maximum number of sites would be. Ms. Chase answered one. Mr. Prosacki asked if ATVs and UTVs would be allowed. Ms. Chase answered that they would not be allowed to bring them in. Resident Carole Nieroda asked what would happen if a customer came onto her adjacent property and was injured. Ms. Chase answered that she assumes her insurance would take care of it. Discussion followed about the Village maintaining the road. Resident Erik Schifferdecker stated he has a problem with safety and security. He asked what keeps her customers on her property after she's gone to sleep and isn't watching them. He asked what would keep customers from showing up with more people than they had made reservations for. He asked what would happen if someone shows up and refuses to leave. He is concerned about the residents who live near this property. Ms. Chase answered there are no guarantees and that she would call the appropriate authorities if there was an issue. Resident Kenny Bassler stated that while Ms. Chase is very friendly and she has pure intentions he is concerned about the road. He asked if the Village has any policies concerning Airbnbs or anything that could apply in this situation. He understands the concern but thinks that with the right rules in place it could work. Mike answered that this isn't an issue they've come across before and there are not any ordinances addressing it. Mike stated he personally has concerns that there are no rules specified by the Village. He thinks the Village would want to look at the state rules and create an ordinance accordingly. Resident Chris Michael stated safety is his big concern. He read the reviews Ms. Chase's customers left and one stated they enjoyed the lake and fountain. However, those are on his property and he has now been singled out. He doesn't feel safe even though she feels she knows these people she has only talked to on the internet. He doesn't want to have a million-dollar insurance policy because she wants to have other people on her property. Resident Peggy Schifferdecker stated she lives across Route 158 in the Buffwood subdivision and is also very concerned about security and safety. She moved to Millstadt because of how safe it is. She doesn't like that customers could be entering at all hours of the night. There is also so much fraud online that customers could be using anyone's banking information for reservations. She asked if Ms. Chase had security cameras and what she would do if her customers were engaging in illegal acts. Ms. Chase answered that anyone at any time could do bad things but she

doesn't think that the people using this app service are the type of people to be doing bad things. Ms. Schifferdecker asked what would keep Ms. Chase from putting up a campground on her property. Mike Wegescheide answered that it is allowed in special uses but there isn't an ordinance that sets the guidelines; if the special use was approved that would become an ordinance. Ms. Schifferdecker asked what would happen if she sold the property? Mike answered the special use would go away. Ms. Schifferdecker stated she did not purchase her property to live next to a campground. Resident Robert Wojcik asked Ms. Chase if she had First Aid training. Ms. Chase answered no. Mr. Wojcik asked if she had a plan in case of an emergency. Ms. Chase answered that she would call the appropriate authorities. Dave Graf stated that what she is asking for is a very primitive Airbnb concept and he doesn't believe there would be as much objection if that was what it was. He has no doubt that if no one had noticed what Ms. Chase was doing it could have gone on for a long time with no problems. He thinks this is an issue that the Village Board should look at. The reality is that the Village has yet to consider the concept of renting out private property for lodging purposes and therefore too early for the Zoning Board to recommend approval. Ron Krick agreed it would be setting a bad precedence. Erik Schifferdecker asked how the Village would make these stipulations. Mike Wegescheide answered they would look at what the state requires, what other communities require, then they would start the process of what Millstadt would require. Resident Randall Hargraves stated he thinks the issue is that she wants to take an Agricultural property and make it a Commercial property. Mike answered that she is allowed to apply for a special use permit for a camping facility because it is allowed with the permit. Resident Tom Rehkemper stated that he thinks the property should have an 8-foot fence around it if it is allowed. Ron Krick made a motion to deny the recommendation for approval because many of the neighbors are against it as well as because the Village does not have an ordinance for this type of business and the Zoning Board should not be setting the precedence. Dave Graf seconded the motion. The motion carried unanimously. Mike Wegescheide stated he agrees with the Board's decision because they don't have any rules to go by and it is something the Village needs to address. He stated the Village Board would make the final decision at their meeting on Monday, August 9th at 7pm at Village Hall. Ms. Chase does not have to be there but can be if she would like. Ms. Chase stated that she will pull her request and look at what other choices she has. Resident Chris Michael asked if the Village Board would discuss it since Ms. Chase wants to pull her request. Mike answered that he couldn't say for sure but he does not think that they will. They may have to discuss the outcome and work towards making an ordinance.

OLD BUSINESS: none

NEW BUSINESS: Dave Graf asked if there was anything new with the property at 220 West Madison Street. He asked if they found tenants. Mike Wegescheide stated they may have found someone for the loft they were putting in on the 2nd floor.

A motion was made by Ron Krick and seconded by Dave Graf to adjourn the meeting.
The motion carried unanimously.

Crissy Pipik, Clerk

Mike Wegescheide, President